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CONFIDENTIAL.

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PART LVII.

FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF EGYPT.

July to December 1899.

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CONFIDENTIAL.

Further Correspondence respecting the Affairs of Egypt.

PART LVII.

No. 1.

Viscount Cromer to the Marquess of Salisbury.—(Received July 10.)

(No. 120.)

My Lord,

Cairo, June 30, 1899.

IN continuation of my despatch No. 38 of the 27th February last, I have now the honour to inclose copies of a Circular and draft Decree which I have received from the Egyptian Minister for Foreign Affairs.

The Decree embodies the arrangement which has been made unofficially between the French and Egyptian Governments on the subject of the rights capable of being exercised by a majority of the Caisse de la Dette.

I have the honour to suggest that I may be authorized to signify the adhesion of Her Majesty's Government to this proposal. I have little doubt that, inasmuch as the French Government is agreed, the Decree will not encounter any opposition from the other Powers concerned.

I have, &c.
(Signed) CROMER.

Inclosure 1 in No. 1.

Boutros Pasha to Viscount Cromer.

(Circular.)

Milord,

*Ministère des Affaires Étrangères, Caïre,
le 29 Juin, 1899.*

LA question de la Caisse de la Dette, posée dans ma Circular du 17 Novembre, 1897, a été soustraite à l'examen de la Commission Internationale Judiciaire pour faire l'objet d'une entente directe avec les Puissances ayant des Commissaires à la Caisse de la Dette Publique.

A la suite d'entretiens que j'ai eus avec plusieurs de MM. vos collègues au sujet de cette question, le Gouvernement a préparé un projet de Décret dont j'ai l'honneur de vous transmettre ci-joint trois exemplaires.

Je vous serais obligé, Milord, de vouloir bien soumettre ce projet à la haute appréciation du Gouvernement de Sa Majesté Britannique, et je me plais à espérer que vous voudrez bien me prêter vos bons offices pour obtenir son approbation, afin que le Décret dont s'agit puisse être promulgué.

Veillez, &c.
(Signé) BOUTROS GHALI.

Inclosure 2 in No. 1.

Draft Decree.

NOUS, Khédive d'Égypte,
Vu le Décret du 2 Mai, 1876;
Vu la Loi de Liquidation;
Vu le Décret du 27 Juillet, 1885;
Vu le Décret du 12 Juillet, 1888;
Vu le Décret du 14 Juin, 1889;
Vu le Décret du 28 Janvier, 1892;

Sur la proposition de notre Conseil des Ministres et avec l'assentiment des Puissances Signataires de la Convention de Londres du 17 Mars, 1885,

Décrétons :

Article 1^{er}. La Caisse de la Dette dans tous les cas où son intervention est prévue par les accords internationaux, soit sous forme de décision à prendre, soit sous forme d'avis à donner, statuera à la majorité absolue des membres qui la composent, sans toutefois qu'il soit dérogé à l'Article 38 de la Loi de Liquidation.

Exceptionnellement, l'avis préalable de la Caisse de la Dette, prévu par le 3^e alinéa de l'Article 8 du Décret sus-visé du 12 Juillet, 1888, devra être donné à l'unanimité toutes les fois qu'il s'agira de dépenses extraordinaires d'ordre militaire.

Art. 2. Aucune dépense extraordinaire de quelque nature qu'elle soit ne pourra en aucun cas être consentie par la Caisse de la Dette sur le fonds de réserve que si, après prélèvement de cette dépense, le montant disponible du dit fonds et non encore engagé excède la somme de £ E. 800,000.

Art. 3. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

No. 2.

Viscount Cromer to the Marquess of Salisbury.—(Received July 10.)

(No. 123.)

My Lord,

Cairo, July 1, 1899.

I HAVE the honour to inclose a copy of a Circular and draft Decree which have been addressed to the Representatives of the Powers by the Egyptian Minister for Foreign Affairs.

It had been previously proposed by the Egyptian Government that the Mixed Courts should not exercise jurisdiction in cases where a local subject sued the Daïra Administration, the Railway Board, or the Municipality of Alexandria. Owing to the opposition which this scheme encountered, it has been thought advisable to abandon the original proposal in so far as the Daïra and Railway Board are concerned. On the other hand, the French Government, from whom the opposition mainly emanated, have now intimated their intention to accept several amendments of some importance in the Codes which were submitted to the Powers a few years ago, but which could not be carried into effect owing to the unwillingness of the French Government to accept them.

The compromise, which is the result of lengthy negotiations between the Egyptian Minister for Foreign Affairs and the French Consul-General, is, I venture to think, a fair one. I have, therefore, the honour to request your Lordship's permission to adhere, in the name of Her Majesty's Government, to the proposed Decree.

There can be little doubt that the consent of all the Governments concerned will be obtained. Thus, on the 1st February, 1900, the objections to prolonging the Mixed Courts for a further quinquennial period will be removed.

I have, &c.
(Signed) CROMER.

Inclosure 1 in No. 2.

Boutros Pasha to Viscount Cromer.

Ministère des Affaires Étrangères, le Caire,
le 30 Juin, 1899.

Milord,

PAR Circulaire du 15 Février dernier j'ai eu l'honneur de vous faire connaître qu'en ce qui concerne l'Article 9 du Règlement d'Organisation Judiciaire, le Gouvernement de Son Altesse le Khédive acceptait la rédaction adoptée par la Commission, en demandant, toutefois, que le dit Article fût complété par les dispositions suivantes :—

"La Daïra Sanieh, l'Administration des Chemins de Fer, et la Municipalité d'Alexandrie, dans leurs rapports avec les indigènes, ne sont pas justiciables des Tribunaux Mixtes."

Quelques-uns de MM. les Représentants des Puissances m'ont fait connaître verbalement qu'en dehors même de la question de principe leurs Gouvernements verraient de graves inconvénients à ce que la Daïra Sanieh et l'Administration des Chemins de Fer, qui, depuis de longues années déjà, sont considérées comme relevant exclusivement de la juridiction mixte, y soient soustraites brusquement, d'autant plus que ces deux administrations n'ont en somme qu'un caractère temporaire.

Le Gouvernement Égyptien, qui a déjà témoigné de son esprit de conciliation en ce qui concerne les Sociétés Anonymes, est disposé à donner une nouvelle preuve de son vif désir d'arriver à une entente et reconnaît, en conséquence, la compétence exclusive de la juridiction mixte à l'égard tant de la Daïra Sanieh que de l'Administration de Chemins de Fer.

Par suite, le projet de Décret, Annexe B, que j'ai eu l'honneur de vous communiquer avec ma Circulaire en date du 17 Décembre dernier, se trouverait définitivement arrêté tel qu'il est reproduit dans le texte ci-joint.

Je vous serai obligé, Milord, de vouloir bien le soumettre à l'examen de votre Gouvernement.

Le Gouvernement de Son Altesse a la confiance que le Cabinet de Londres, appréciant la grande modération dont il a fait preuve dans ces négociations, n'hésitera pas à donner son assentiment à la promulgation de ce Décret, et du projet de Décret, Annexe C, de ma Circulaire du 17 Décembre, 1898, ainsi qu'à la prorogation des pouvoirs des Tribunaux Mixtes pour une nouvelle période de cinq ans à partir du 1^{er} Février, 1900.

Veillez, &c.
(Signé) BOUTROS GHALI.

Inclosure 2 in No. 2.

(B.)

Draft Decree.

NOUS, Khédive d'Égypte,

Vu le Règlement d'Organisation Judiciaire pour les procès mixtes en Égypte;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la réforme judiciaire :—

Décrétons :

Article 1^{er}. Les Articles 9 et 11 du Titre 1, Chapitre 1, paragraphe 2, du Règlement d'Organisation Judiciaire sont remplacés respectivement par les Articles nouveaux ci-après :—

"Article 9. Ces Tribunaux connaîtront seuls des contestations en matière civile et commerciale entre indigènes et étrangers et entre étrangers de nationalités différentes, en dehors du statut personnel.

"Ils connaîtront seulement des actions réelles immobilières entre indigènes et étrangers ou entre étrangers de même nationalité ou de nationalités différentes.

"La Municipalité d'Alexandrie, dans ses rapports avec des indigènes, n'est pas justiciable des Tribunaux Mixtes.

"Article 11. Les Tribunaux ne pourront pas statuer sur la propriété du domaine public. Ils ne pourront connaître des actes de souveraineté ni des mesures prises par le Gouvernement en exécution et en conformité des Lois et Règlements d'administration publique.

"Mais, sans pouvoir interpréter un acte d'administration, ou en arrêter l'exécution, ils seront compétents pour juger les atteintes portées par cet Acte à un droit acquis d'un étranger, reconnu soit par des Traités, soit par des Lois, soit par des Conventions."

Art. 2. Ces dispositions entreront en vigueur un mois après la publication qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

No. 3.

Viscount Cromer to the Marquess of Salisbury.—(Received July 10.)

(No. 124.)

My Lord,

Cairo, July 1, 1899.

I HAVE in previous despatches explained that a Commission was appointed to consider what changes it would be possible and desirable to make in the Mixed Code on the subject of the Law regulating fraudulent bankruptcy. The British Chamber of Commerce at Alexandria has for a long time past strongly urged the necessity of dealing with this question.

I have now the honour to inclose a Circular and draft Decree which I have received from the Egyptian Minister for Foreign Affairs. The Decree embodies the conclusions at which the Commission arrived. I am informed by Mr. McIlwraith, who represented Her Majesty's Government on the Commission, that the changes proposed are unobjectionable. I have therefore the honour to request your Lordship's permission to adhere, in the name of Her Majesty's Government, to the Decree.

I have, &c.

(Signed) CROMER.

Inclosure 1 in No. 3.

Boutros Pasha to Viscount Cromer.

(Circulaire.)

Milord,

Ministère des Affaires Étrangères, le Caire,
le 30 Juin, 1899.

LA Commission Internationale Judiciaire, chargée d'examiner les propositions du Gouvernement en ce qui concerne le Règlement d'Organisation Judiciaire, avait reçu également mandat d'étudier les modifications qu'il y aurait lieu d'introduire dans la législation mixte en matière de faillites et banqueroutes.

Elle a chargé la Sous-Commission de préparer et de lui soumettre des propositions à cet effet. Celle-ci, à son tour, a préparé des projets qui ont été approuvés à l'unanimité par la Commission Plénière dans sa séance du 15 de ce mois. Ces propositions comportent :—

1. Projet (D), suppression des mots "en ce qui concerne les inculpés étrangers," dans l'intitulé du Titre II du Règlement d'Organisation Judiciaire; modifications aux Articles 2 et 3, du même Titre, Chapitre I, § 1, et à l'Article 6, Chapitre I, § 2;

2. Projet (E), modifications aux Articles 47 et 295 du Code Pénal;

3. Projet (F), modifications aux Articles 18, 81, 82, et 100 du Code d'Instruction Criminelle;

4. Projet (G), modifications à introduire dans les Articles suivants du Code Pénal;

293,

294 (correspondant à l'ancien Article 295),

295 (nouveau et correspondant à l'ancien Article 297),

296 (nouveau et correspondant à l'ancien Article 298),

297 (nouveau),

298 (nouveau),

299 (ancien),

300 (correspondant aux Articles 294 et 300),

301 (nouveau),

302 à reporter en tête du Chapitre X traitant des abus de confiance.

5. Projet (H), modifications aux Articles suivants du Code de Commerce :—

202 (correspondant aux anciens Articles 202 et 205),

203 (correspondant aux anciens Articles 206 et 207),

204 (correspondant aux anciens Articles 202 et 203),

205 (nouveau),

206 (nouveau),

207 (nouveau),

208 (nouveau),

209 (nouveau),

210 (nouveau),

211 (correspondant aux Articles 208 et 212),

212 (correspondant aux Articles 209 et 210),

213 (correspondant à l'Article 211),

214 (correspondant aux Articles 212, § 2, et 214),

215 (correspondant aux Articles 215 et 216),

216 (correspondant à l'Article 213),

217 (nouveau),

218 (correspondant aux anciens Articles 217 et 218).

6. Projet (I), modifications à introduire dans le Code de Commerce Mixte en ce qui concerne : (1) les premières dispositions à prendre à l'égard du failli; (2) la nomination et le remplacement des syndics; (3) les fonctions des syndics, Articles 247, 248, 256 (ancien Article 257, § 2), 257 (ancien Article 258), 258 (nouveau), 259 (nouveau), 264 (modifié et correspondant aux Articles 256, 257, § 1, 259, 264, et 265, § 1), 265 (correspondant au § 2 de l'ancien Article 265), 266 (correspondant à l'ancien Article 266), 269 (correspondant aux anciens Articles 269 et 270), 270 (nouveau), 273, 280, 286 (nouveau), 287.

D'autre part, au cours de la discussion de ces divers projets, on est tombé d'accord que les poursuites en matière tant de banqueroute simple que de banqueroute frauduleuse, ne seraient exercées à l'encontre d'un étranger que par le Procureur-Général, ou à défaut par un Magistrat de nationalité étrangère délégué à cet effet par la Cour.

Dans cet ordre d'idées, le Gouvernement Égyptien a préparé un projet de Décret complétant l'Article 27, Chapitre II, Titre I, du Règlement d'Organisation Judiciaire, projet que j'ai l'honneur de vous transmettre ci-joint. (Annexe J.)

Le Gouvernement de Son Altesse le Khédive vous serait reconnaissant, Milord, de vouloir bien lui prêter vos bons offices pour obtenir du Gouvernement de Sa Majesté, son approbation, dans le plus bref délai possible, à la promulgation de ces divers projets de Décrets.

Veillez, &c.

(Signé) BOUTROS GHALI.

Inclosure 2 in No. 3.

Decrees.

(D.)

NOUS, Khédive d'Égypte,

Vu le Règlement d'Organisation Judiciaire pour les Procès Mixtes en Égypte;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la réforme judiciaire;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres;

Décrétons :

Article 1^{er}. Les mots "en ce qui concerne les inculpés étrangers" sont supprimés de l'intitulé du Titre II du Règlement d'Organisation Judiciaire.

Art. 2. Les Articles 2 et 3, Titre II, Chapitre I, § 1 du Règlement d'Organisation Judiciaire sont modifiés ainsi qu'il suit :—

"Article 2. La Chambre du Conseil, aussi bien en matière de délits qu'en matière de crimes, sera composée de trois Juges, dont un indigène et deux étrangers.

"Article 3. Le Tribunal Correctionnel sera composé de trois Juges, dont un indigène et deux étrangers, et de quatre Assesseurs étrangers, si l'inculpé est étranger. Si l'inculpé est indigène, la moitié des Assesseurs sera indigène."

N.B.—Les mots en italique indiquent des modifications apportées à d'anciens textes.

Art. 3. L'Article 6, Titre II, Chapitre I, § 2, du Règlement d'Organisation Judiciaire est modifié ainsi qu'il suit:—

"Article 6. Seront soumises à la juridiction des Tribunaux Mixtes:—

"1. Les poursuites pour contravention de police commises par les étrangers;

"2. Les poursuites contre les auteurs ou les complices des délits prévus au Chapitre IX du Code Pénal dans les cas de faillites mixtes;

"3. Les poursuites contre les auteurs et complices des crimes et délits suivants:—

Art. 4. Ces dispositions entreront en vigueur un mois après la promulgation qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 5. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

(E.)

Nous, Khédive d'Égypte,

Vu le Règlement d'Organisation Judiciaire pour les Procès Mixtes en Égypte;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la réforme judiciaire;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres,

Décrétons:

Article 1^{er}. Les Articles 47 et 295 du Code Pénal Mixte sont modifiés ainsi qu'il suit:—

"Article 47. La durée de cette peine sera de vingt-quatre heures à une semaine, en matière de contraventions, et de huit jours à trois ans, en matière de délits, *sauf le cas prévu par l'Article 295 du présent Code.*

"La peine commencera du moment où le coupable aura été écroué, s'il n'était pas détenu préventivement.

"Article 295. Les coupables de banqueroute frauduleuse et leurs complices seront punis de deux à cinq ans d'emprisonnement."

Art. 2. Ces dispositions entreront en vigueur un mois après la promulgation qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

(F.)

Nous, Khédive d'Égypte,

Vu le Règlement d'Organisation Judiciaire pour les Procès Mixtes en Égypte;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la réforme judiciaire;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres,

Décrétons:

Article 1^{er}. Les Articles 18, 81, 82, et 100 du Code d'Instruction Criminelle Mixte sont modifiés ainsi qu'il suit:—

"Article 18. Dans le même cas de flagrant délit et lorsqu'il y aura présomption de crime ou de tentative de crime, ou d'un délit de vol, d'escroquerie, de banqueroute, ou de violence grave, &c. . . .

"Article 81 (correspondant aux Articles 81 et 82 anciens). Lorsque l'inculpé ne se sera pas présenté sur la citation ou lorsque le fait incriminé sera de la nature indiquée à l'Article 18, le Juge d'Instruction pourra décerner un mandat d'amener.

"Et si les présomptions paraissent suffisantes après l'interrogatoire, le Juge d'Instruction pourra, soit décerner immédiatement ou ultérieurement un mandat d'arrêt, soit convertir le mandat d'amener en mandat d'arrêt.

"Article 82 (nouveau). A l'égard des inculpés de banqueroute frauduleuse et de leurs complices, le Juge d'Instruction pourra décerner un mandat d'amener sur réquisitoire du Ministère Public, même avant toute déclaration de faillite.

N.B.—Les mots en italique indiquent des modifications apportées à d'anciens textes.

"Article 100. *Sauf le cas prévu à l'Article 293 du Code Pénal*, la mise en liberté provisoire sous caution sera de droit, en matière de délits, huit jours après l'interrogatoire, quand l'inculpé sera domicilié et qu'il n'aura pas subi une condamnation antérieure de plus d'une année d'emprisonnement."

Art. 2. Ces dispositions entreront en vigueur un mois après la promulgation qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

(G.)

Nous, Khédive d'Égypte,

Vu le Règlement d'Organisation Judiciaire pour les Procès Mixtes en Égypte;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la réforme judiciaire;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres,

Décrétons:

Article 1^{er}. Les Articles 293 à 301 inclusivement du Code Pénal Mixte sont modifiés ainsi qu'il suit:—

"Article 293. *Tout commerçant en état de cessation de paiements sera déclaré banqueroutier frauduleux dans les cas suivants:—*

"1. *S'il a soustrait, détruit, ou altéré ses livres;*

"2. *S'il a détourné ou dissimulé une partie de son actif au préjudice de ses créanciers;*

"3. *Si, soit dans ses écritures, son bilan, ou un acte quelconque, soit même par une reconnaissance verbale ou pour avoir évité sciemment de produire des documents ou des explications, il se sera frauduleusement reconnu ou fait reconnaître débiteur de sommes qu'il ne devait pas réellement.*

"Article 294 (correspondant à l'ancien Article 295). Les coupables de banqueroute frauduleuse et leurs complices seront punis d'un emprisonnement de deux à cinq ans.

"Article 295 (nouveau et correspondant à l'ancien Article 297). *Sera déclaré banqueroutier simple, en général, tout commerçant qui par son imprudence ou sa faute grave aura été cause de la perte subie par ses créanciers et spécialement celui qui se trouvera dans les cas suivants:—*

"1. *Si ses dépenses personnelles ou les dépenses de sa maison ont été jugées excessives;*

"2. *S'il a consommé de fortes sommes au jeu, à des opérations de pur hasard ou à des opérations fictives de bourse ou sur marchandises;*

"3. *Si, dans l'intention de retarder sa faillite, il a fait des achats pour revendre au-dessous des cours; si, dans la même intention, il s'est livré à des emprunts, circulations d'effets, et autres moyens ruineux de se procurer des fonds;*

"4. *S'il a obtenu un concordat au moyen de manœuvres frauduleuses.*

"Article 296 (nouveau et correspondant à l'ancien Article 298). *Pourra être déclaré banqueroutier simple tout commerçant qui se trouvera dans un des cas suivants:—*

"1. *S'il n'a pas tenu les livres exigés par l'Article 12 du Code de Commerce, ou n'a pas fait l'inventaire prescrit par l'Article 14; ou si ses livres, incomplets et irrégulièrement tenus, n'offrent pas sa véritable situation active et passive, sans néanmoins qu'il y ait fraude;*

"2. *S'il ne s'est pas conformé aux Articles 20 et 23 du Code de Commerce;*

"3. *S'il n'a pas fait la déclaration de la cessation de ses paiements dans le délai prescrit par l'Article 202 du Code de Commerce ou s'il n'a pas fait le dépôt du bilan prescrit par les Articles 203 et 204, ou si les renseignements prescrits par ces dernières dispositions sont reconnus inexacts;*

"4. *Si, sans empêchement légitime, il ne s'est pas rendu en personne aux convocations du Juge-Commissaire ou s'il n'a pas fourni les renseignements demandés par celui-ci, ou si les renseignements fournis sont inexacts;*

"5. *Si, après la cessation de ses paiements, il a sciemment payé ou favorisé un*

N.B.—Les mots en italique indiquent des modifications apportées à d'anciens textes.

créancier au préjudice de la masse ou s'il lui a promis un avantage particulier en vue d'obtenir son adhésion à un concordat.

"6. S'il est déclaré en faillite avant d'avoir satisfait aux obligations d'un précédent concordat.

"Article 297 (nouveau). Dans le cas de faillite d'une Société Anonyme ou par actions, les Administrateurs et Directeurs de la Société seront passibles des peines de la banqueroute frauduleuse, s'ils sont reconnus coupables d'un des faits prévus par l'Article 293 de ce Code ou s'ils ont occasionné la faillite de la Société par fraude ou dol, et notamment s'ils ont contribué à la cessation des paiements de la Société, soit en indiquant faussement le capital souscrit ou versé, soit en distribuant des dividendes fictifs, soit en s'attribuant dolosivement des prélèvements supérieurs à ceux autorisés par le contrat social.

"Article 298 (nouveau). Dans le même cas, ces Administrateurs et Directeurs seront passibles des peines de la banqueroute simple :—

"1. S'ils sont reconnus coupables d'un des faits prévus par les Articles 295, Nos. 2 et 3, et 296, Nos. 1, 3, 4, et 5, de ce Code;

"2. S'ils ont dolosivement omis de publier le contrat social dans les formes voulues par la loi;

"3. S'ils ont coopéré ou donné leur assentiment à des Actes contraires aux Statuts de la Société.

"Article 299 (ancien). Le coupable de banqueroute simple sera puni de la peine d'un mois à deux ans d'emprisonnement.

"Article 300 (correspondant aux Articles 294 et 300). Seront punis de trois mois à trois ans de prison, en dehors des cas de complicité légale :—

"1. Toutes personnes, même le conjoint et les descendants ou ascendants du failli ou alliés au même degré, qui auront soustrait, dissimulé, ou recélé tout ou partie de l'actif mobilier ou immobilier du failli;

"2. Ceux qui, sans être créanciers, auront frauduleusement pris part aux délibérations d'un concordat ou présenté dans la faillite et affirmé, soit en leur nom, soit par interposition de personnes, des créances supposées;

"3. Ceux qui, étant créanciers, auront frauduleusement exagéré leurs créances ou stipulé, soit avec le failli, soit avec toutes autres personnes, des avantages particuliers à raison ou sous prétexte de leur vote dans les délibérations d'un concordat ou d'une faillite, ou qui auront fait un Traité particulier à leur avantage et au préjudice de la masse;

"4. Les Syndics qui se seront rendus coupables de malversation dans leur gestion.

"Article 301 (nouveau). Dans les cas prévus par la disposition précédente, les coupables pourront en outre être condamnés à une amende de 100 à 10,000 piastres au tarif.

"Le Tribunal saisi statuera en même temps et d'office sur les restitutions dues à la masse ainsi que, le cas échéant, sur les dommages-intérêts réclamés au nom de la masse, alors même qu'il y aurait acquittement."

Art. 2. L'Article 302 actuel du Code Pénal est reporté en tête du Chapitre X, traitant des abus de confiance.

Art. 3. Ces dispositions entreront en vigueur un mois après la promulgation qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 4. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

(H.)

Nous, Khédive d'Égypte,

Vu le Règlement d'Organisation Judiciaire pour les Procès Mixtes en Égypte;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la réforme judiciaire;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres,

N.B.—Les mots en italique indiquent des modifications apportées à d'anciens textes.

Décrétions :

Article 1^{er}. Les Articles 202 à 218 inclusivement du Chapitre III, section 1, du Code de Commerce Mixte, sont modifiés ainsi qu'il suit :—

"Article 202 (correspondant aux anciens Articles 202 et 205). Tout commerçant qui cesse ses paiements pour raison d'insolvabilité actuelle est en état de faillite. Il est tenu d'en faire la déclaration au greffe du Tribunal de son domicile dans les quinze jours de la cessation de ses paiements.

"En cas de faillite d'une Société en nom collectif ou en commandite, la déclaration contiendra le nom et l'indication du domicile de chacun des associés solidaires.

"Article 203 (correspondant aux anciens Articles 206 et 207). La déclaration du failli devra être accompagnée du dépôt du bilan ou contenir l'indication des motifs qui empêcheraient le failli de le déposer.

"Le bilan contiendra l'énumération et évaluation de tous les biens mobiliers et immobiliers du débiteur, l'état des dettes et des créances, le tableau des profits et pertes, le tableau des dépenses; il devra être certifié véritable, daté et signé par le débiteur.

"Article 204 (correspondant aux anciens Articles 202 et 203). La faillite du commerçant qui a cessé ses paiements sera déclarée par jugement rendu soit sur la déclaration du failli, soit à la demande d'un ou de plusieurs de ses créanciers, soit sur la réquisition du Ministère Public, soit d'office.

"Article 205 (nouveau). Toutefois le commerçant malheureux et de bonne foi, qui se sera conformé aux dispositions des Articles 202 et 203, pourra demander, en même temps qu'il fait sa déclaration, à être admis à bénéficier d'un concordat préventif.

"Ce concordat pourra être également accordé au commerçant assigné en déclaration de faillite, ou déclaré en faillite d'office, pourvu qu'il se trouve encore dans le délai prévu par l'Article 202, ainsi qu'au commerçant décédé, à la requête de ses représentants légaux, dans le cas où le débiteur aurait pu l'obtenir lui-même. Le concordat préventif peut être accordé aux Sociétés commerciales.

"Article 206 (nouveau). Si la demande paraît suffisamment justifiée, le Tribunal désignera un de ses membres, qui procédera aux opérations suivantes :—

"1. Il arrêtera et signera les livres du débiteur et procédera à la vérification de la situation.

"2. Il décidera si et dans quelles conditions le débiteur peut être autorisé à continuer provisoirement son commerce et pourra ordonner toutes les mesures urgentes.

"3. Il convoquera les créanciers devant lui aux fins de se prononcer sur l'admission d'un concordat préventif et donnera lecture à l'assemblée d'un rapport sur la bonne foi du débiteur, la situation de ses affaires, et ses propositions concordataires.

"A partir du jugement désignant le Juge Commissaire, les actions mobilières et immobilières et toutes voies d'exécution seront suspendues de plein droit au profit du débiteur.

"Ce jugement ne sera susceptible d'aucun recours.

"Article 207 (nouveau). Les créanciers seront convoqués conformément à l'Article 254.

"Le concordat préventif ne pourra être valablement consenti que par une majorité de créanciers représentant les trois quarts des créances.

"Le Juge commis dressera procès-verbal de la délibération et renverra la cause à la première audience utile.

"Article 208. Le Tribunal ne statuera sur l'homologation du concordat qu'après avoir entendu le Juge commis ainsi que le débiteur ou son fondé de pouvoirs et les créanciers, s'ils se présentent, et après avoir au préalable décidé par provision, le cas échéant, sur l'admission des créances contestées, conformément à l'Article 313 du présent Code.

"Sauf en ce qui concerne les créances alimentaires, le concordat ainsi homologué sera obligatoire pour tous les créanciers chirographaires.

"Le jugement d'homologation sera affiché et publié par les soins du greffe dans les trois jours de sa date conformément à l'Article 222 de ce Code.

"Il ne pourra être attaqué que par la voie de l'opposition dans le mois de sa publication et seulement de la part des créanciers qui n'auront pas été régulièrement convoqués et qui n'auront pas pris part au concordat.

"Néanmoins ce concordat reste soumis aux causes d'annulation et de résolution édictées à l'égard du concordat après faillite par les Articles 341 et 342 de ce Code.

N.B.—Les mots en italique indiquent des modifications apportées à d'anciens textes.

"Article 209 (nouveau). Sauf convention contraire, l'intégrale exécution du concordat entraîne la libération du débiteur.

"Article 210 (nouveau). Si pendant le cours de l'Instruction de la demande en obtention du concordat préventif, le Tribunal acquiert la conviction que le débiteur n'est pas malheureux et de bonne foi, il pourra à tout moment le déclarer en faillite.

"Article 211 (correspondant aux Articles 208 et 212). La demande en déclaration de faillite sera introduite par les créanciers, soit dans les formes ordinaires des demandes en justice, soit par une requête au Tribunal déposée au greffe où elle sera immédiatement enregistrée par extrait.

"Article 212 (correspondant aux Articles 209 et 210). Cette requête doit contenir la preuve ou l'indication des faits desquels il résulte que le débiteur a en effet cessé ses paiements.

"Le Président, sur la communication qui lui en est faite, fixera le jour de l'audience.

"Article 213 (correspondant à l'Article 211). Dans les cas urgents, le Président peut ordonner l'apposition des scellés ou toute autre mesure conservatoire.

"Article 214 (correspondant aux Articles 212, § 2, et 214). Il ne sera statué sur la faillite demandée par le Ministère Public qu'après avis donné au débiteur par lettre du greffe, du jour de l'audience fixé par le Président.

"L'avis pourra être donné à vingt-quatre heures ou même d'heure en heure, en cas d'extrême urgence.

"Article 215 (correspondant aux Articles 215 et 216). La faillite sera demandée par le Ministère Public ou prononcée d'office sans avis et sans délai, si le débiteur est en fuite ou s'il détourne son actif.

"En ce cas les mesures conservatoires seront ordonnées par le Président au Tribunal de Commerce ou par le Juge de Service.

"Article 216 (correspondant à l'Article 213). Le débiteur sera toujours entendu en Chambre du Conseil, avant l'audience publique, s'il le demande.

"Article 217 (nouveau). En cas de faillite d'une Société Anonyme ou par actions, les actes de procédure devront être faits contre les Administrateurs, Directeurs, et liquidateurs.

"Ceux-ci seront tenus de comparaître, devant le Juge-Commissaire, toutes les fois qu'il en seront requis aux fins de donner les indications nécessaires à la formation ou vérification du bilan et de s'expliquer sur les causes et les circonstances de la faillite.

"Ils devront être entendus, comme représentants de la Société en faillite, dans tous les cas où la loi exige que le failli soit entendu.

"Article 218 (correspondant aux anciens Articles 217 et 218). La faillite du commerçant décédé pourra être demandée et prononcée à la condition qu'il soit établi qu'il est mort en état de cessation de paiements et que la demande ait été introduite dans les six mois du décès.

"L'avis ou la citation seront en ce cas remis à la maison mortuaire sans qu'il soit besoin de désigner les héritiers.

Art. 2. Ces dispositions entreront en vigueur un mois après la promulgation qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

(I.)

Nous, Khédivé d'Égypte,

Vu le Règlement d'Organisation Judiciaire pour les Procès Mixtes en Égypte;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la réforme judiciaire;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres,

Décrétons :

Article 1^{er}. Les Articles ci-après du Code de Commerce Mixte sont modifiés ainsi qu'il suit :—

"Chapitre III, section 3, Article 247. Par le jugement déclaratif de la faillite, le Tribunal de Commerce ordonnera l'apposition des scellés sur le magasin et les effets du failli.

N.B.—Les mots en italique indiquent des modifications apportées à d'anciens textes.

"Le même jugement ou tout jugement ultérieur pourra ordonner en outre l'emprisonnement du failli ou la garde de sa personne par un officier de police ou du Tribunal.

"Article 248. *L'emprisonnement ou la garde du failli seront ordonnés lorsque le failli ne se sera pas conformé aux dispositions des Articles 205 et 206 du présent Code.*

"Section 4, Article 256 (ancien Article 257, § 2). *Les Syndics définitifs pourront être choisis, &c. . . .*

"Article 257 (ancien Article 258). *Aucun parent ou allié du failli jusqu'au sixième degré inclusivement ne pourra être nommé syndic.*

"Article 258 (nouveau). Les créanciers, lors de leur première réunion ou de toute réunion ultérieure, pourront déléguer à un ou trois d'entre eux la mission de surveiller la gestion des syndics. Les créanciers délégués auront la faculté d'examiner les livres, registres, et pièces de la faillite et de provoquer toute mesure dans l'intérêt de la masse.

"Article 259 (nouveau). Les fonctions des délégués sont gratuites.

"Ils pourront se donner réciproquement le pouvoir d'agir l'un pour l'autre.

"Ils ne pourront être révoqués que par jugement du Tribunal de Commerce, sur l'avis conforme de la majorité des créanciers et le rapport du Juge-Commissaire.

"Article 264 (modifié et correspondant aux Articles 256, 257, § 1, 259, 264, et 265, § 1). Le Tribunal de Commerce pourra, à toutes les époques, révoquer les syndics ou l'un deux, les remplacer par d'autres, en augmenter ou en diminuer le nombre, soit à la requête du failli ou de ses créanciers, soit à la diligence du Juge-Commissaire, soit même d'office.

"Article 265 (correspondant au § 2 de l'ancien Article 265). Le Tribunal entendra en Chambre du Conseil les explications des syndics, dont la révocation serait demandée, ainsi que le rapport du Juge-Commissaire et prononcera le jugement à l'audience.

"Article 266 (correspondant à l'ancien Article 266). Le simple remplacement du syndic, s'il n'y a aucun tort à lui reprocher, sera prononcé en Chambre du Conseil par une décision non motivée.

"Article 269 (correspondant aux anciens Articles 269 et 270). La vente des objets sujets à déperissement ou à dépréciation imminente ou dispendieux à conserver, et l'exploitation du fonds de commerce, auront lieu à la diligence des syndics, sur l'autorisation du Juge-Commissaire, qui déterminera le mode et les conditions de la vente, le failli et la délégation des créanciers entendus ou dûment appelés.

"Article 270 (nouveau). Les actions à intenter par le syndic ou à suivre dans l'intérêt de la masse, devront être autorisées par le Juge-Commissaire, qui prendra l'avis de la délégation des créanciers.

"Article 273. Le failli pourra obtenir des secours alimentaires, qui seront fixés par le Juge-Commissaire, après avoir entendu les syndics et la délégation des créanciers, sauf recours au Tribunal de la part de tout intéressé.

"Article 280. En toute faillite les syndics, dans la quinzaine du jugement déclaratif de faillite, seront tenus de remettre au Juge-Commissaire un Mémoire ou compte sommaire de l'état apparent de la faillite, de ses principales causes et circonstances, et du caractère qu'elle peut avoir.

"*Copie de ce Mémoire sera communiquée à la délégation des créanciers.*

"Article 286 (nouveau). Sauf le cas prévu par l'Article 269, les effets mobiliers ou fonds de commerce ne pourront être vendus, avant le rejet du concordat, qu'en vertu d'une autorisation du Tribunal, réuni en Chambre du Conseil, qui, sur le rapport du Juge-Commissaire et le failli ainsi que la délégation des créanciers entendus ou dûment appelés, déterminera le mode et les conditions de la vente.

"Article 287. Les syndics pourront, le failli et la délégation des créanciers entendus ou dûment appelés, transiger," &c.

Art. 2. Ces dispositions entreront en vigueur un mois après la promulgation qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

N.B.—Les mots en italique indiquent des modifications apportées à d'anciens textes.

(J.)

Nous, Khédive d'Égypte,
Vu le Règlement d'Organisation Judiciaire pour les Procès Mixtes en Égypte,
Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré
à la réforme judiciaire;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre
Conseil des Ministres,

Décrétons :

Article 1^{er}. La disposition suivante est ajoutée à l'Article 27, Chapitre II, Titre I,
du Règlement d'Organisation Judiciaire des Tribunaux Mixtes.

" Dans tous les cas prévus par le Chapitre IX du Code Pénal, si les poursuites
sont dirigées contre un étranger, les fonctions du Ministère Public devront être remplies
par un membre du Parquet de nationalité étrangère.

" A défaut d'un membre du Parquet étranger, la Cour déléguera un Conseiller ou
un Juge étranger pour en remplir les fonctions."

Art. 2. Ces dispositions entreront en vigueur un mois après la promulgation qui
en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organi-
sation Judiciaire.

Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent
Décret.

No. 4.

Viscount Cromer to the Marquess of Salisbury.—(Received July 10.)

(No. 149.)

(Telegraphic.) P.

Cairo, July 10, 1899.

I HAVE seen the Khedive on the matter of the Ceylon exiles, and though I can
at present do nothing for the others, I have, after considerable trouble, persuaded His
Highness to permit the return of Mahmoud Samy. He can come back at once.

No. 5.

The Marquess of Salisbury to Viscount Cromer.

(No. 87.)

(Telegraphic.) P.

Foreign Office, July 12, 1899.

WITH reference to your telegram No. 145 of the 9th instant, your Lordship is
authorized to signify to the Egyptian Government the assent of Her Majesty's
Government to their proposal with regard to the prolongation of the Mixed
Tribunal, and the alteration of certain Articles of the Organic Statute, as communi-
cated in your despatch No. 123 of the 1st instant.

No. 6.

The Marquess of Salisbury to Viscount Cromer.

(No. 143.)

My Lord,

Foreign Office, July 13, 1899.

I HAVE received your Lordship's despatch No. 120 of the 30th ultimo, trans-
mitting a draft Decree which has been communicated to you by the Egyptian Minister
for Foreign Affairs relative to the manner in which the decisions of the Caisse de la
Dette Publique shall be given.

I authorize you to inform Boutros Pasha that Her Majesty's Government assent
to the proposed Decree.

I am, &c.
(Signed) SALISBURY.

No. 7.

Foreign Office to the Law Officers of the Crown.

Gentlemen,

Foreign Office, July 18, 1899.

I HAVE the honour to transmit to you, by direction of the Marquess of
Salisbury, the papers noted in the accompanying list relative to changes which the
Egyptian Government propose to introduce in the Codes of the Mixed Tribunals
with a view to give criminal jurisdiction to those Tribunals in cases of fraudulent
bankruptcy coming under their notice in the course of civil suits.

The proposed changes are the result of the labours of a Commission appointed
by the Egyptian Government to consider the matter, and are embodied in seven
draft Decrees which have been communicated by the Egyptian Minister for Foreign
Affairs, in a Circular dated the 30th ultimo, to Her Majesty's Agent and Consul-
General at Cairo for the approval of Her Majesty's Government as one of the
Governments which took part in the establishment of the Mixed Tribunals (Viscount
Cromer, No. 124, the 1st July, 1899, Paper E).

The report of the proceedings of the above-mentioned Commission is inclosed
in Viscount Cromer's despatch No. 126 of the 3rd July (Paper F).

I am to request that you will take the papers transmitted herewith into your
consideration, and that you will favour Lord Salisbury with your opinion as to
whether Her Majesty's Government can properly give their assent to the proposed
Decrees, and with any general observations which you may have to make on the
papers now submitted to you.

I have, &c.
(Signed) T. H. SANDERSON.

List of Papers.

(A.) Règlement d'Organisation Judiciaire.					
(B.) Code Pénal Mixte.					
(C.) Code d'Instruction Criminelle Mixte.					
(D.) Code de Commerce Mixte.					
(E.) Viscount Cromer	..	..	..	..	.. (No. 124) July 1, 1899.
(And inclosures.)					
(F.) Viscount Cromer	..	..	..	..	.. (No. 126)* July 3, ..
(And inclosures.)					

No. 8.

The Marquess of Salisbury to Sir N. O'Connor.

(No. 73.)

(Telegraphic.) P.

Foreign Office, July 22, 1899.

WITH reference to Sir R. Rodd's telegram No. 155 of the 18th July, repeated by
him to your Excellency, I have to inform you that Her Majesty's Government are
unable to allow that the Khedive should be intimidated into going to Constantinople
or taking his family there contrary to his own wishes.

His Highness should be confidentially informed by you, through Her Majesty's
Consul-General at Smyrna, that Her Majesty's Government consider the Sultan to have
no right to order him to bring his family to Constantinople, and that should His
Highness and his family visit Cyprus, the High Commissioner has been instructed to
receive them with every attention.

No. 9.

Law Officers of the Crown to the Marquess of Salisbury.—(Received August 3.)

My Lord,

Royal Courts of Justice, August 1, 1899.

WE were honoured with your Lordship's commands signified in Sir Thomas
Sanderson's letter of the 18th ultimo, stating that he was directed by your Lordship to
transmit to us the accompanying papers relating to changes which the Egyptian
Government propose to introduce in the Codes of the Mixed Tribunals, with a view to

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* Not printed. Forwarding Report and proceedings of Sub-Commission of Mixed Tribunals.

give criminal jurisdiction to those Tribunals in cases of fraudulent bankruptcy coming under their notice in the course of civil suits.

That the proposed changes were the result of the labours of a Commission appointed by the Egyptian Government to consider the matter, and were embodied in seven draft Decrees which had been communicated by the Egyptian Minister for Foreign Affairs, in a Circular dated the 30th June last, to Her Majesty's Agent and Consul-General at Cairo for the approval of Her Majesty's Government as one of the Governments which took part in the establishment of the Mixed Tribunals.

That the report of the proceedings of the Commission was inclosed in Lord Cromer's despatch No. 126 of the 3rd July.

That Sir Thomas Sanderson was to request that we would take the papers into our consideration and favour your Lordship with our opinion as to whether Her Majesty's Government could properly give their assent to the proposed Decrees, and with any general observations which we might have to make on the papers submitted to us.

We have taken the matter into our consideration, and, in obedience to your Lordship's commands, have the honour to

Report.

That in our opinion Her Majesty's Government may properly give their consent to the proposed Decrees.

We do not quite understand the reference in the new Article 248 in Decree I to "Articles 205 et 206 du présent Code." The Articles 205 and 206 as they now stand in Decree H do not seem to us to refer to matters in respect of which the bankrupt could be punished. If Article 248 is intended to refer to Articles 205 and 206 of the Code as it existed before amendment, it seems to us that the numbers of the Articles to be mentioned in Article 248 should be Articles 202 and 203 out of Decree H.

There may, however, be some reason for adopting the words we have quoted above which we do not understand.

We have, &c.
(Signed) RICHARD E. WEBSTER.
ROBERT B. FINLAY.

No. 10.

The Marquess of Salisbury to Sir R. Rodd.

(No. 162. Confidential.)

Sir,
I RECEIVED in due course Lord Cromer's despatch No. 124 of the 1st ultimo, transmitting a draft Decree for the extension of the powers of the Mixed Tribunals in cases of fraudulent bankruptcy, in accordance with the recommendations of the Committee appointed to consider the subject.

After consultation with the Law Officers of the Crown, I have to inform you that you are authorized to express the assent of Her Majesty's Government to the proposed Decrees.

At the same time I transmit, for your confidential information, a copy of the Law Officer's Report on the subject,* and I have to call your attention to the remarks in the concluding paragraph as to the doubtful reference in the new Article 248 in Decree I to "Articles 205 et 206 du présent Code."

I am, &c.
(Signed) SALISBURY.

No. 11.

Sir R. Rodd to the Marquess of Salisbury.—(Received August 12.)

(No. 146.)

My Lord,

Cairo, August 4, 1899.

I HAVE the honour to transmit to your Lordship herewith copy of a Circular note which I have received from his Excellency Moustapha Fehmy Pasha, who is

* No. 9.

acting as Minister for Foreign Affairs in the absence of Butros Pasha, inclosing two draft Decrees, to the issue of which the assent of Her Majesty's Government is requested.

Both these Decrees relate to pawnbroking establishments; the object of the first (Inclosure 1) being to confer upon the Egyptian Government the right of supervision and control over such establishments; whilst the second (Inclosure 2) deals with a proposed modification of the law, as administered by the Mixed Courts, defining the conditions under which articles pawned on receipts to bearer may be legally sold.

I have, &c.
(Signed) RENNELL RODD.

Inclosure 1 in No. 11.

Moustapha Fehmy Pasha to Sir R. Rodd.

(Circulaire.)

M. le Gérant,

Alexandrie, le 31 Juillet, 1899.

EN vue de réglementer les maisons de prêts sur gage et de permettre à celles-ci de fonctionner en remplissant le but pour lequel des établissements analogues ont été fondés dans divers pays d'Europe, j'ai l'honneur de vous demander de vouloir bien soumettre au Cabinet de Londres deux projets de Décrets élaborés par le Gouvernement de Son Altesse le Khédive.

Le premier de ces projets a pour objet de donner au Gouvernement Égyptien le droit de réglementer les maisons de prêts sur gage. Celles-ci, contrairement à ce qui existe aujourd'hui, ne pourront plus se fonder ni continuer l'exercice de leur commerce sans une autorisation du Gouvernement; leurs opérations, d'autre part, seront surveillées et dès lors disparaîtront les nombreux abus que le système de la liberté absolue a engendrés partout où il a été appliqué; aussi ce système a-t-il disparu de presque toutes, sinon de toutes les législations.

Le second projet consiste dans l'addition d'un paragraphe à l'Article 84 du Code de Commerce Mixte. Cette modification a pour but de permettre la réalisation des gages quand les prêts ont été effectués contre reconnaissances au porteur, mode de procéder généralement suivi et notamment adopté en France. Cette disposition est d'autant plus nécessaire que certains établissements autorisés bien avant l'institution des Tribunaux Mixtes se trouvent aujourd'hui, par suite de la jurisprudence de la Cour, non seulement dans l'impossibilité de fonctionner, mais même dans l'impossibilité de liquider.

J'ai l'honneur de vous prier, en conséquence, de vouloir bien transmettre les deux projets ci-annexés au Gouvernement de Sa Majesté qui, je me plais à l'espérer, reconnaissant l'utilité qu'ils présentent, n'hésitera pas à les accueillir favorablement.

Veuillez, &c.
(Signé) MOUSTAPHA FEHMY.

Inclosure 2 in No. 11.

Draft Decree.

NOUS, Khédive d'Égypte,
Vu la Règlement d'Organisation Judiciaire;
Afin de permettre la réglementation des maisons de prêts sur gage;
Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la Réforme Judiciaire,

Décrétons:

Article 1^{er}. Il est interdit de fonder, sans autorisation du Gouvernement, une maison de prêt sur gage. Toutefois, ne tombent pas sous l'application du présent Décret les établissements de prêt sur gage incorporel (actions, obligations, &c.), ainsi que ceux faisant des prêts sur marchandises neuves et denrées agricoles.

Art. 2. L'autorisation est accordée par le Ministre de l'Intérieur qui pourra faire inspecter ces établissements lorsqu'il le jugera nécessaire. Les inspecteurs pourront prendre connaissance des livres, vérifier la consistance et l'état des gages, et constater si les prescriptions imposées par la loi ou par l'acte d'autorisation ont été observées.

Si le propriétaire de l'établissement est un étranger, avis préalable sera donné à son Consulat pour le mettre à même d'assister à l'inspection, s'il le croit opportun.

Art. 3. Tout établissement de prêt sur gage devra faire assurer contre l'incendie, par une Compagnie agréée par le Gouvernement, les objets donnés en gage ainsi que les locaux dans lesquels ils sont déposés.

En cas d'incendie ou de perte des gages, l'établissement sera responsable jusqu'à concurrence de leur estimation augmentée d'un quart.

Art. 4. En échange des fonds versés, les prêteurs reçoivent des reconnaissances au porteur.

Les reconnaissances doivent porter les indications suivantes : somme prêtée, intérêts y afférents, échéance de la reconnaissance et somme à rembourser.

Tout déposant sera tenu de signer l'acte de dépôt de l'objet engagé, et si le déposant est illettré, l'acte de dépôt sera signé par son répondant.

Pourront être exceptés de la formalité prescrite ci-dessus les actes de dépôt d'objets estimés au-dessous de 250 piastres tarif.

Art. 5. Le taux de l'intérêt stipulé ne pourra excéder 9 pour cent par an. Il pourra, en outre, être perçu un droit pour frais d'estimation, de mesurage et d'emmagasinement.

Ce droit ne pourra excéder 4 pour cent si le prêt est inférieur à 250 piastres tarif, ni 3 pour cent si la somme prêtée est supérieure. Ce droit sera perçu pour une année entière, quelle que soit la durée du prêt.

Art. 6. Les prêts seront à trois ou six mois et pourront être renouvelés de commun accord entre le prêteur et l'emprunteur.

Art. 7. En cas de non remboursement à l'échéance, les gages seront réalisés conformément aux règles du Code relatives au gage commercial.

De plus, pour les prêts excédant £ E. 10, les individus qui auront signé les actes de dépôt seront prévenus par lettre recommandée, huit jours avant la remise de la requête au Juge de service.

Art. 8. Si la somme produite par la vente dépasse la somme due par l'emprunteur en principal, intérêts, droits de garde et frais de réalisation, l'excédent sera tenu à la disposition de l'emprunteur pendant la durée de trois ans. Il ne sera pas productif d'intérêts. S'il n'est pas réclamé pendant ce délai, il sera acquis au prêteur.

Art. 9. L'ouverture ou l'exploitation d'une maison de prêt sur gage sans l'autorisation prescrite, sera punie d'un emprisonnement de un à sept jours. La fermeture de l'établissement sera toujours ordonnée par le jugement.

Toutes autres contraventions au présent Décret seront punies d'un emprisonnement de vingt-quatre heures à une semaine et d'une amende de 10 à 100 piastres Turques, ou d'une de ces peines seulement. Les circonstances atténuantes pourront être admises, et la fermeture de l'établissement pourra être prononcée.

Art. 10. Il est interdit de prêter sur gage à des enfants âgés apparemment de moins de 12 ans, aux personnes en état d'ivresse, sous l'empire du hachiche, ou qui, à raison de leur état mental, sont manifestement incapables de contracter.

Art. 11. L'estimation des gages sera faite par des personnes autorisées à cet effet par le Ministère de l'Intérieur.

Art. 12. Lorsqu'un objet engagé sera revendiqué pour cause de vol ou pour toute autre cause, le propriétaire devra :—

1. Justifier dans les formes légales de son droit de propriété;

2. Rembourser, tant en principal qu'en intérêts, la somme pour laquelle l'objet a été engagé, à moins que, au moment du prêt, le prêteur ait pu savoir que l'objet déposé n'était pas la propriété de l'emprunteur ou que celui-ci ne pouvait pas l'engager.

Art. 13. Ces dispositions entreront en vigueur un mois après la publication qui en sera faite dans les formes prescrites par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 14. Nos Ministres de l'Intérieur et de la Justice sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Inclosure 3 in No. 11.

Draft Decree.

NOUS, Khédive d'Égypte,

Vu le Règlement d'Organisation Judiciaire ;

Vu le Code de Commerce Mixte et le Décret du 5 Décembre, 1886, qui l'a complété en ce qui concerne le gage commercial ;

Après accord intervenu entre notre Gouvernement et les Puissances qui ont adhéré à la Réforme Judiciaire,

Décrétons :

Article 1^{er}. Il est ajouté à l'Article 84 du Code de Commerce Mixte un paragraphe conçu dans les termes suivants :—

"En ce qui concerne les établissements de prêt sur gage autorisés, dont les reconnaissances sont au porteur, les numéros en retard seront affichés par ministère d'huissier, à la porte du siège ou des succursales des dits établissements, au tableau du Tribunal, et à la Bourse de Commerce, avec déclaration que passé le délai de dix jours, la vente en sera poursuivie. La requête au Juge de service comprendra collectivement tous les numéros affichés qui n'auront pas satisfait aux conditions contractuelles."

Art. 2. Ces dispositions entreront en vigueur un mois après la publication qui en sera faite dans les formes prévues par l'Article 35, Titre I, du Règlement d'Organisation Judiciaire.

Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

No. 12.

Sir N. O'Connor to the Marquess of Salisbury.—(Received August 14.)

(No. 389. Confidential.)

My Lord,

Therapia, August 6, 1899.

WITH reference to Lord Cromer's telegram No. 128 of the 17th June, a copy of which he sent me, I have the honour to inclose herewith an extract from a Report from the Agent of the Public Debt at Benghazi, which has been given to me confidentially, stating that the Ottoman Government have appointed a Mudir, accompanied by a certain number of gendarmes at Kebabo, with a view to an effective occupation of the Oasis of Koufara.

This action may be connected with the Grand Vizier's notification to the Khedive that Ottoman troops would be sent "to represent and consolidate the powers and legitimate rights of the Ottoman Empire."

I have not up to the present moment been able to discover any other movement of troops corresponding with the Grand Vizier's declaration.

A copy of this despatch has been sent to Cairo.

I have, &c.
(Signed) N. R. O'CONOR.

Inclosure in No. 12.

Extract from a Report from the Agent of the Public Debt at Benghazi.

(Confidential.)

DEPUIS peu il paraît que l'autorité Ottomane aurait fait acte d'occupation de l'Oasis de Koufara en établissant un Mudir à Kébabo, auquel aurait été adjoint un certain nombre de gendarmes. Quoique ce renseignement me vienne de source sûre, je ne puis le donner qu'à titre confidentiel, car à Benghazi le Gouverneur semble vouloir tenir secrète l'occupation de Koufara, qui n'est pas confirmée officiellement.

No. 13.

Mr. Milbanke to the Marquess of Salisbury.—(Received August 21.)

(No. 190.)

My Lord,

Vienna, August 13, 1899.

COUNT GOLUCHOWSKI, whom I met last evening, spoke to me in the course of our conversation of the arrangement which had been come to between Boutros Pasha and Baron Heidler in regard to the Catholic Coptic question in Egypt.

His Excellency, who appeared much gratified at this result having been obtained, expressed himself in very grateful terms for the good offices which had been rendered in the matter by your Lordship and by Lord Cromer, to which the present settlement of the points in dispute in regard to the Coptic question between the Imperial and Egyptian Governments was entirely due.

I have, &c.
(Signed) RALPH MILBANKE.

No. 14.

Sir R. Rodd to the Marquess of Salisbury.—(Received August 21.)

(No. 161. Secret.)

(Telegraphic.) P.

Cairo, August 21, 1899.

I HAVE the honour to report to your Lordship that the Greek Patriarch is dying, although His Holiness may perhaps live for a few weeks more.

No Synod nor other machinery exists in Egypt for the selection of a candidate for this high office, whose name shall be submitted for the approval of His Imperial Majesty the Sultan, the Greek community themselves claiming this privilege. On the occasion of the post being last vacant, now thirty years ago, endless disturbances were created and only terminated with the appointment of a Patriarch by the Sultan, the community accepting the nomination in order to restore tranquillity.

I am informed that some twenty-five years ago, the Greek civil and religious representatives submitted to the Government a scheme of procedure for the selection of their Patriarch, but nothing came of the negotiation.

It is now proposed by the Greek Consul-General and certain members of the community that this scheme should be revived and its acceptance secured before the present Patriarch dies.

In the event of the community possessing no regular procedure for the selection of a candidate, it is feared that two results may ensue; first, the occurrence of riots and disturbances here among the partisans of rival claimants; followed by the action of the Sultan in imposing on the community a Patriarch, whose appointment would be due to Russian influence, as has already been the case in the Patriarchates of Jerusalem and Antioch. It is said that measures are already being taken to this end by the Russian Consul at Alexandria.

The draft scheme of procedure probably leaves much to be desired, but an attempt to draw up a new one would only tend to stimulate the passions of rival partisans. There will, in any case, be opposition and trouble, but if the definite scheme is adopted these may possibly be of less gravity.

I entertain some doubts as to the acceptance of the scheme by the Porte, but, as a corporate body, the Patriarchate and priests are Rayahs and local subjects. It would, therefore, appear that the Government of His Highness the Khedive possess the right to regulate, in the interests of public order, the procedure to be followed in the nomination of a candidate to this office, in the same manner as they regulate the status of the Coptic communities in Egypt.

Moustapha Pasha Fehmy is not prepared to interfere in this question, unless he receives an assurance that his action will obtain the support of Her Majesty's Government, as he anticipates that the validity of the regulations will be contested by interested members of the Greek community. Interference on the part of the Egyptian Government will cause an outcry, but the consequences will in all probability be less serious than

those which would result from the absence of all method, more especially as the scheme has the support of the leading Greeks.

The numbers and turbulent character of the Greek colony here render the question one of considerable gravity.

No. 15.

Colonial Office to Foreign Office.—(Received August 25.)

Sir,

Downing Street, August 24, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 12th ultimo, a copy of a despatch from the Lieutenant-Governor of Ceylon, on the subject of the pardon of the Egyptian exile, Mahmud Samy.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 15.

Lieutenant-Governor Sir E. Walker to Mr. Chamberlain.

Sir,

The Pavilion, Candy, Ceylon, July 31, 1899.

I DULY communicated to Mahmud Samy Effendi the substance of your telegram of the 14th instant, intimating that he has been pardoned, and that he may return to Egypt, and I have now the honour to submit to you a copy of a letter received from him in reply, in which he expresses his deep and sincere gratitude to Her Majesty's Government and to His Highness the Khedive for the clemency and consideration shown to him.

I have, &c.
(Signed) E. NOEL WALKER.

Inclosure 2 in No. 15.

Mahmud Samy to the Colonial Secretary, Colombo.

Sir,

Candy, July 20, 1899.

I HAVE the honour to acknowledge receipt of your letter of the 15th instant, conveying to me the intimation of my pardon and release from exile.

I beg leave to express my deep and sincere gratitude to Her Majesty's Government and to His Highness the Khedive for the clemency and consideration they have shown; and I would desire further to say how profoundly grateful I am to his Excellency the Lieutenant-Governor for the kindness and sympathy which he has shown in reference to this matter.

I am, &c.
(Signed) MAHUMD SAMY.

No. 16.

Foreign Office to the Law Officers of the Crown.

Gentlemen,

Foreign Office, August 25, 1899.

I HAVE the honour, by direction of the Marquess of Salisbury, to transmit to you a despatch from Her Majesty's Acting Agent and Consul-General at Cairo, as marked in the margin,* forwarding a copy of a note from the Egyptian Acting Minister for Foreign Affairs, in which are inclosed two draft Decrees relating to pawnbroking establishments.

The object of the first of these Decrees is to confer upon the Egyptian Government the right of supervision and control over such establishments; whilst the second

* No. 11.

deals with a proposed modification of the law as administered by the Mixed Courts, defining the conditions under which articles, pawned on receipts to bearer, may be legally sold.

A Minute by Lord Cromer will be found annexed to Sir R. Rodd's despatch, recording his Lordship's opinion that the Decrees may be approved as no British interests are involved, and as the proposed changes will be beneficial to Egypt.

I am to request that you will take these papers into your consideration, and will favour Lord Salisbury with your opinion as to whether these Decrees should receive the assent of Her Majesty's Government, as requested in the note from the Egyptian Acting Minister for Foreign Affairs.

I have, &c.
(Signed) FRANCIS BERTIE.

No. 17.

Sir R. Rodd to the Marquess of Salisbury.—(Received August 28.)

(No. 153. Confidential.)

My Lord,

Cairo, August 15, 1899.

I HAVE the honour to report that the Regent informs me that he has just received a visit from the Secretary of Ghazi Moukhtar Pasha, who came in a somewhat apologetic spirit, to read to him a communication which the Ghazi had received from Constantinople.

This communication was to the effect that the Sultan was much concerned with the attacks made by the press in Egypt on His Imperial Majesty, and that he must insist, in spite of the momentary presence of British troops in Egypt, on measures being taken similar to those enforced in Constantinople for the repression of such journalistic attacks. These measures were not to be confined only to local and native papers, but were to include the prohibition of the circulation of any foreign journals which contained attacks on the person of the Sultan.

Moustapha Pasha explained that he could not receive or take any official cognizance of a communication of this nature, which Moukhtar Pasha was not officially qualified to make, but that, should he receive any communication on the subject directly from the Grand Vizier, he could only once more explain to his Highness, while reserving the entire independence of Egypt in such matters, the existing state of the Press Law, and the difficulties which stand in the way of its application to foreigners.

The Egyptian Government have recently instituted proceedings against a local paper called the "Mushir," for a personal attack on the Sultan and for inciting to assassination. In the meantime the editor has absconded and will, no doubt, be condemned in default. His flight before trial has also been made the subject of complaint from Constantinople. The Egyptian law, however, does not allow of preliminary arrest for press offences, and it will be in your Lordship's memory that when, some two years ago, the editor of a local paper was prosecuted for a scandalous attack on Her Majesty the Queen, and fled to Constantinople, the Turkish authorities not only refused to surrender him after his condemnation and sentence, but he was received with special favour and given the appointment of Inspector of Education at Bagdad.

I have, &c.
(Signed) RENNELL RODD.

No. 18.

Sir R. Rodd to the Marquess of Salisbury.—(Received August 28.)

(No. 156.)

My Lord,

Cairo, August 20, 1899.

THE prospects of the Nile flood for the current year are, I regret to say, far from satisfactory. The level recorded at Assouan on the 19th instant was lower than that of the corresponding date in 1877, the worst year of which we have any record. Fortunately news has just come in from Senaar of a big rise in the level of the Blue Nile.

Lower Egypt is quite safe so far as the cotton and maize crops are concerned, and

the flood will now, it is calculated, be a better one than that of 1888, the next worst after that of 1877. If the rise continues, the prospect will be further improved. In any case, however, there must inevitably be a large proportion of "Sharaki" land this year, which is the more unfortunate at a period when trade is already considerably affected by the presence of plague in the country.

I have, &c.
(Signed) RENNELL RODD.

No. 19.

Sir N. O'Connor to the Marquess of Salisbury.—(Received August 28.)

(No. 403. Confidential.)

My Lord,

Constantinople, August 24, 1899.

I HAVE the honour to transmit to your Lordship herewith copy of a despatch which I have received from the Officer Commanding Her Majesty's ship "Imogene," reporting the appointment of Commander Hussein Bey to the staff of Moukhtar Pasha, the Ottoman High Commissioner in Egypt.

I have, &c.
(Signed) N. R. O'CONOR.

Inclosure in No. 19.

Commander Bain to Sir N. O'Connor.

(Confidential.)

Sir,

"Imogene" at Therapia, August 18, 1899.

I HAVE the honour to bring to your Excellency's notice the appointment, to the personal staff of Moukhtar Pasha, Imperial High Commissioner at Cairo, of Hussein Bey, Kol Aghassi (Lieutenant-Commander), of the Ottoman navy.

The selection of this officer was made at Yildiz, without reference to the Minister of Marine, and Commander Hussein, who was hastened away, left Constantinople on the 16th instant.

It is considered that his present appointment is for the purpose of supplying the Palace (where, I understand, he enjoys the protection of certain high officials), with private information regarding the High Commissioner.

Commander Hussein is a man of some culture, and, apparently, of modern and liberal ideas. He has a slight knowledge of English.

I have, &c.
(Signed) EDWARD BAIN.

No. 20.

Sir R. Rodd to the Marquess of Salisbury.—(Received August 30.)

(No. 166.)

(Telegraphic.) P.

Cairo, August 30, 1899.

MY telegram No. 161 of the 22nd instant.

By the next mail I propose to forward to your Lordship the text of the draft Regulations for the election of the Greek Patriarch, drawn up in 1874, as well as those in force at Constantinople. These latter form the basis of the draft, but provision is made for the creation of a special body to take the place of the Synod, which convokes the Assembly and elects the substitute at Constantinople. One essential difference consists in the fact that, under the Constantinople rules, it is specifically stated that all electors as well as candidates must be Turkish subjects, whereas by the provisions of the Egyptian draft, electors are to be chosen from the Greek community, without specifying whether they are local or Hellenic subjects. Logically, it would appear that the election of the Patriarch should rest with local subjects, and when, in 1869, this point was referred to Constantinople by Ismail Pasha, the Grand Vizier replied that Hellenic subjects were not qualified to vote in the election.

The confirmation of the election also, under the draft Regulations, rests with the Egyptian Government, and not with the Sultan.

Moustapha Pasha Fehmy is inclined to think that the best course would be to draw up new Regulations based on the draft, but in which modifications with regard to the above two points shall be embodied.

The majority of the influential Greeks in Alexandria are Hellenic subjects, and for this reason they are anxious that the form of procedure adopted should be such as to give them a voice in the election of the Patriarch.

I have repeated this telegram to Her Majesty's Ambassador at Constantinople.

No. 21.

The Marquess of Salisbury to Sir R. Rodd.

(No. 91.)

(Telegraphic.) P.

Foreign Office, August 31, 1899.

I HAVE received your telegram No. 161 of the 22nd instant. The mode of selecting a Patriarch appears to fall within the domain of internal administration in the absence of any special reservation in the Firmans of the rights of the Sultan in such matters, and the Egyptian Government can take action independently of the Sultan in the matter.

It would be best if the manner of selection could be arranged between the Egyptian Government and the leading members of the Greek community. The Patriarch so selected should then be recognized to the exclusion of any nomination from Constantinople subsequently made.

No. 22.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 3.)

(No. 171.)

(Telegraphic.) P.

Cairo, September 3, 1899.

WITH reference to your Lordship's telegram No. 91 of the 31st ultimo, I regret to report that the death of the Greek Patriarch took place this afternoon.

This morning the Council of Ministers invited the Vicar-General, the appointment of whom had been made by the late Patriarch during his illness, to take such measures as might be advisable to insure the safety of the Patriarchate, and to convene all the Orthodox clergy for the election of a substitute as soon as the decease of the Patriarch was announced. It was necessary that some one should be recognised by the Government as the religious authority, and after having fully considered the matter we decided to confirm the nomination made by the late Patriarch. In the absence of any recognised form of procedure this course was adopted after consultation with the representative Greeks here, who have promised me that the measure proposed shall receive their support. The mode of appointing a substitute may meet with some opposition, but its validity will be maintained by the Egyptian Government.

In this manner time has been gained in which we may consider the nature of the procedure to be followed in the election of a Patriarch.

Under the ecclesiastical law the laity should, it appears, have a voice in the election; and the difficulty lies in discriminating between Hellenic Greeks and those who are local subjects, both of these categories forming a common community in so far as representative purposes are concerned.

I have had the honour to repeat this telegram to Sir Nicholas O'Connor.

No. 23.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 4.)

(No. 158. Confidential.)

My Lord,

Cairo, August 21, 1899.

WITH reference to your Lordship's despatch No. 162, Confidential, of the 11th instant, signifying the assent of Her Majesty's Government to the proposed Decrees extending the powers of the Mixed Tribunals in cases of fraudulent bankruptcy, I have the honour to report that the doubtful reference to which the Law Officers of

the Crown have called attention in No. 1 Decree appears to be explainable by the words "du présent Code," which refer to the existing Code unaffected by the other proposed Decrees.

A similar instance may be found in draft (E), where reference is made to Article 295 "du présent Code," although by draft (G) it is proposed to renumber this Article 294.

The usage is, however, not uniform throughout the drafts, and in notifying the adherence of Her Majesty's Government I propose to draw the attention of the Egyptian Government to the inconsistency, pointing out that if the draft Decrees are promulgated these references must be made to agree with the new Articles of the several Codes.

I have, &c.
(Signed) RENNELL RODD.

No. 24.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 4.)

(No. 159.)

My Lord,

Cairo, August 24, 1899.

I HAVE the honour to report that the Regent has received a letter from the Khedive at Vienna, in which His Highness desires him, through the Representative of Her Majesty's Government, to express to your Lordship his sincere thanks for the assistance and support which enabled him to carry out his intention of visiting Rhodes and leaving his family there.

I have, &c.
(Signed) RENNELL RODD.

No. 25.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 11.)

(No. 163. Secret.)

My Lord,

Cairo, August 25, 1899.

I HAVE the honour to submit to your Lordship some observations on the present attitude and prospects of the so-called "Patriotic party" in Egypt.

It is within your Lordship's knowledge that this section of Egyptian political society first entered into an active phase shortly after the accession of the present Khedive, and has continued for some years to exercise a harmful influence on the cause of reform in this country by fostering discontent with the present régime, by sedulously fomenting fanatical Mahommedan prejudice, and by consistent misrepresentation of the efforts made by the Government and their English advisers to promote the real welfare of the people.

Recently, however, the efforts of the Patriotic party in this direction have visibly relaxed. The leading spirits of the party with whose names it is unnecessary to trouble your Lordship, but of whom the notorious Moustapha Kamel may be regarded as a representative type, have become discouraged by the apparently hopeless postponement of their anticipations of personal advancement, and by the repeated blows which have been dealt them on each occasion when their attempts at agitation assumed too serious a form to be overlooked. The firm front opposed by the Egyptian Government, strong in the support afforded them by Her Majesty's Government, to all forms of terrorism or press agitation, combined with the judicious manner in which exemplary punishment has been inflicted when absolutely necessary, have undoubtedly produced great effect. Instances of this kind will occur to your Lordship's recollection, but I may cite as typical examples the strengthening of the Native Tribunals some years ago by the addition of more English Judges after an episode connected with the "Moweyyad" newspaper, and the recent removal from the Mixed Tribunal of Mansourah of two native Judges who had rendered themselves conspicuous by their virulent attacks on the Khedive's present Ministers. In these cases, much judgment was shown in avoiding any risk of the culprits attaining the dignity of martyrs to a popular cause.

The policy of the Patriotic party is, in fact, such as to be easily disheartened. It is, I think I may say, without exception, the resultant of the vanity and self-

seeking of a few glib demagogues possessed of a number of plausible phrases to catch the popular ear, and better educated than the mass of their ignorant and credulous countrymen. But the policy rests upon no solid basis; no general grievance exists amongst any section of the population; and even those who for the moment listen with sympathy to the inflamed harangues of these orators, recognize in their hearts that they have no just grounds for complaint or dissatisfaction.

Moreover, the Egyptian character is not one which lends itself readily to the designs of agitators. Too little power of co-operation exists between man and man, mutual suspicion and mistrust always preventing the possibility of combined movement. I have little doubt but that the Patriotic party would before now have been able to bring about some serious form of anti-European demonstration had it not been for this well-known Egyptian characteristic. In addition to this the knowledge that a powerful armed force is always in readiness to preserve public order if threatened, acts as a tranquillizing element even on the most advanced Egyptian demagogues.

I think, therefore, that I may say that from a purely local point of view this party is for the moment in a quiescent state. But the energies of its leaders appear to be taking another direction which, if carried far, may possibly cause some trouble in the future. I allude to the propaganda of Pan-Islamism.

Many of the vernacular newspapers published in Egypt, especially the notorious "Moweyyad," have for a long while past been proclaiming the duty of true Moslems all over the world to coalesce in resisting European encroachment, and pointing out the important part which Egypt ought to play in such a cause; this plea, based as it is on the universal strong religious feeling of Mahomedans, is likely to find many more and more zealous sympathizers than the cry of personal wrongs which every fellah in Egypt knows to be without foundation.

The maintenance of the power and dignity of the Caliph at Constantinople, and through him of every individual Moslem, is, of course, the centre to which these propaganda tend. Egyptians have short memories, and there are now comparatively few in this country who look upon the Sultan as anything other than the head of their church, and the Prince, whom it is the bounden duty of all good Moslems to revere and support.

These considerations appear to me to lend some importance to information which has lately reached me as to the establishment in Cairo of certain Secret Societies, having their centre in Constantinople, and the object of which is to disseminate the doctrines of Pan-Islamism throughout the country. There are several of these Societies, but the principal seems to be one known as "Shems-el-Islam" (the Sun of Islam), which is in especially close relations with Constantinople, whence its proceedings are said to be dictated. The agent intrusted with the Egyptian branch of this Society, a certain Ali Bey-el-Moweyyad, is reported to be coming shortly to Cairo from Turkey, with the object of consolidating and developing the sphere of operations. The enrolment of members and the proceedings of the Society are conducted with more secrecy and method than is usual in such cases in Egypt, and I understand that steps are being taken for the establishment of newspapers which shall aid the propaganda in question by writings calculated to convince all readers of the justice of the cause, but conceived in such moderate terms as to afford the Government no handle for attack.

I am causing further inquiries to be made, of the result of which I shall have the honour to inform your Lordship later, but in the meanwhile I have ventured to lay the matter before your Lordship as it stands at present.

I have, &c.
(Signed) RENNELL RODD.

No. 26.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 4.)

(No. 165.)

My Lord,

Cairo, August 25, 1899.

I HAVE the honour to transmit to your Lordship herewith copy of a Report, addressed to the Regent by the Commissioners of the Public Debt, and published in the "Official Journal" of the 19th instant, on the present position of the Guaranteed 3 per Cent. Loan.

I have, &c.
(Signed) RENNELL RODD.

Inclosure in No. 26.

Extract from the Egyptian "Journal Officiel" of August 19, 1899.

CAISSE DE LA DETTE PUBLIQUE.

Rapport adressé à son Excellence le Régent sur la situation de l'Emprunt Garanti 3 pour Cent.

Excellence,

D'APRÈS notre dernier Rapport à Son Altesse le Khédive sur la situation de l'Emprunt Garanti 3 pour Cent, le capital de cet emprunt, qui s'élevait au 1^{er} Mars, 1899, à 8,485,700L., s'est trouvé réduit à 8,449,400L. par suite de l'amortissement, par tirage au sort de 36,300L., figurant à l'état (A) ci-annexé, amortissement effectué tant avec la dotation semestrielle qu'avec les réalisations des immeubles catalogués et les recouvrements des arriérés à fin 1879, et laissant un solde en espèces de £ E. 75 355 m.

En conséquence, la demi-annuité fixe de 157,500L. se répartira comme suit le 1^{er} Septembre, 1899 :—

126,741L. pour le coupon.
30,759L. pour l'amortissement.

Conformément aux prescriptions du Décret du 27 Juillet, 1885, nous avons l'honneur de présenter à votre Excellence la situation à ce jour des ressources sur lesquelles la dite somme de 157,500L. (£ E. 153,562 505 m.) doit être prélevée.

Elles s'élèvent à £ E. 1,808,946 408 m., savoir :—

	£ E. m.
1. Excédent au 30 Avril, 1899	507,396 505
2. Versements opérés depuis le 15 Avril dernier sur les revenus des Chemins de Fer, Télégraphes, et port d'Alexandrie, et sur l'annuité à la charge du Ministère des Finances, en vertu de l'Article 3 du Décret du 6 Juin, 1890	362,874 676
3. Versements opérés depuis le 1 ^{er} Mai sur les recettes des douanes, tabacs, et provinces affectées	948,675 227

Le surplus de £ E. 1,655,383 908 m. reste disponible pour les échéances des Dettes Privilégiée et Unifiée des 15 Octobre et 1^{er} Novembre.

Seront affectés à l'amortissement du 1^{er} Septembre prochain, conformément aux indications de l'état (B) ci-annexé :—

	£ E. m.
1. Le reliquat non employé lors l'amortissement précédent (77L. 5s. 8d.) ..	75 355
2. La portion de la demi-annuité du 1 ^{er} Septembre, 1899, non absorbée par les intérêts (30,759L.)	29,990 025
3. Le produit des réalisations diverses figurant au dit état (7,820L. 1s. 8d.) ..	7,624 580
Le total de	37,689 960

Soit, 38,656L. 7s. 4d., sera employé au remboursement de 38,600L. d'obligations désignées par le tirage au sort auquel nous avons procédé le 29 Juin, 1899.

Il nous restera un solde en espèces de 56L. 7s. 4d. à employer concurremment avec la dotation d'amortissement du prochain semestre.

Nous prions votre Excellence d'agréer nos respectueux hommages.

Les Commissaires-Directeurs,
(Signé) C. DE HOELTZKE.
G. LOUIS.

Le Caire, le 16 Août, 1899.

(A.)—EMPRUNT GARANTI 3 POUR CENT.

ÉTAT des Amortissements effectués pour la Semestrialité du 1^{er} Mars, 1899.

Ressources.		Emploi.	
	£ E. m.		£ E. m.
Reliquat non employé lors de l'amortissement précédent	21 165	Amortissement du 1 ^{er} Mars, 1899 :—	
Portion de la demi-annuité du 1 ^{er} Mars, 1899, non absorbée par les intérêts (30,214 l. 10 s.)	29,459 137	Remboursement au pair de 36,300 l. de titres sortis au tirage du 21 Décembre, 1898	35,392 500
Réalisation des immeubles catalogués :—		Solde disponible	75 355
Recettes—	£ E. m.		
Recouvrements pendant les 2 ^e et 3 ^e trimestres 1898 sur les ventes de 1898 et sur les arriérés dus pour ventes des années antérieures ..	9,246 197		
Dépenses—			
Part mise à la charge des biens catalogués dans les frais de service du bureau des immeubles libres de l'État	3,642 985		
	5,603 212		5,603 212
Recouvrements sur les arriérés des droits et taxes dus à fin 1879—			
Produit net des réalisations effectuées pendant les 2 ^e et 3 ^e trimestres 1898 ..	384 341		
	35,467 855		35,467 855

Capital nominal de l'Emprunt Garanti au 1 ^{er} Mars, 1899	£	8,485,700
Obligations amorties		36,300
Capital nominal au 1 ^{er} Septembre, 1899		8,449,400

(B.)—EMPRUNT GARANTI 3 POUR CENT.

ÉTAT des Sommes à affecter à l'Amortissement du 1^{er} Septembre, 1899.

	£ E. m.	£ E. m.
Reliquat non employé lors de l'amortissement précédent (voir État A)	..	75 355
Portion de la demi-annuité du 1 ^{er} Septembre, 1899, non absorbée par les intérêts (30,759 l.)	..	29,990 025
Réalisation des immeubles catalogués :—		
Recettes—		
Recouvrements pendant les 4 ^e trimestre, 1898, et 1 ^{er} trimestre, 1899, sur les ventes de 1898 et 1899 et sur les arriérés dus pour ventes des années antérieures ..	17,172 376	
Dépenses—		
Part mise à la charge des biens catalogués dans les frais de service du bureau des immeubles libres de l'État	9,755 796	
	7,416 580	7,416 580
Recouvrements sur les arriérés des droits et taxes dus à fin 1879—		
Produit net des réalisations effectuées pendant les 4 ^e trimestre, 1898, et 1 ^{er} trimestre, 1899	..	208 000
		37,689 960
Cette somme sera employée au remboursement au pair des obligations sorties au tirage du 29 Juin, 1899, d'un montant nominal de 38,600 l., soit £ E. 37,635.		
Le reliquat de £ E. 54 960 m. sera compris dans l'amortissement du 1 ^{er} Mars, 1900.		

Sir R. Rodd to the Marquess of Salisbury.—(Received September 4.)

(No. 166.)

My Lord,

Cairo, August 25, 1899.

I HAVE the honour to transmit to your Lordship herewith copy of a Report, published in the "Official Journal" of the 21st instant, on the operations of the corvée, or compulsory watching and repairing of the Nile dykes and banks during the season of inundation, for the year 1898.

It is satisfactory to observe that, owing to the continued efforts of the Irrigation Department, the number of men called out for this purpose last year compares favourably with that of the year 1896, when the circumstances of the Nile flood were similar in character and extent.

I have, &c.
(Signed) RENNELL RODD.

Inclosure in No. 27.

Extract from the Egyptian "Journal Officiel" of August 21, 1899.

Rapport présenté à Son Altesse le Khédive par son Excellence le Ministre des Travaux Publics, sur les opérations de la Corvée en 1898.

Monseigneur,

CONFORMÉMENT aux dispositions du deuxième paragraphe de l'Article 4 du Décret du 2 Avril, 1888, j'ai l'honneur de soumettre à votre Altesse le rapport suivant relatif aux opérations de la corvée en 1898.

Le Tableau (A) comporte les sommes dépensées dans chaque province pour l'exécution, à l'entreprise, des travaux d'entretien et de protection qui étaient autrefois exécutés par la corvée.

ANNÉE 1898.

Tableau (A).

Cercles.	Provinces.	Budget de la Corvée.	Budget Ordinaire.	Total.
		£ E. m.	£ E. m.	£ E. m.
1 ^{er}	Kallioubieh	14,114 007	2,286 808	16,400 815
	Charkieh	16,284 527	9,432 792	25,717 319
	Dakahlieh	15,599 714	17,205 371	32,805 085
	Drainage	..	9,252 661	9,252 661
2 ^e	Menofieh	41,999 782	22,400 000	64,399 782
	Gharbieh	..	4,798 615	4,798 615
	Drainage	..	..	..
3 ^e	Béhéra	20,752 000	18,902 525	39,654 525
	Guizéh	13,247 346	4,099 632	17,346 978
	Drainage	..	15,239 000	15,239 000
		..	..	..
4 ^e	Fayoum	8,896 082	3,231 118	12,127 200
	Béni-Souef	10,300 000	6,303 221	16,603 221
	Minieh	25,730 000	8,665 661	34,395 661
	Assiout, 1 ^{re} section	22,873 918	2,096 000	24,969 918
		..	..	..
Direction de Ghirguch	Ghirguch	20,500 000	9,434 000	29,934 000
	Assiout, 2 ^e section	7,252 000	2,048 507	9,300 507
5 ^e	Kénéh	26,431 282	10,636 938	37,068 220
	Frontière	6,016 718	1,784 447	7,801 165
Inspection Générale Basse-Égypte		..	2,000 000	2,000 000
		249,997 376	149,838 296	399,835 672

La crue du Nil de 1898 dans la Haute-Égypte était semblable comme cotes et périodes à celle de 1896, mais dans la Basse-Égypte, elle était plutôt semblable à celle de 1895.

Toutefois, en 1898, le nilomètre de Rodah accusait, pendant quarante-quatre jours une cote supérieure à 23 pics, alors qu'en 1895 il n'accusait la même cote que pendant vingt-deux jours seulement, de manière que, quoique se rapprochant le plus de la crue de 1895 que de toute autre, la crue de 1898 avait une cote moyenne supérieure à celle de la crue de 1895.

Le Tableau (B) suivant donne les nombres équivalents des corvéables réquisitionnés pendant 100 jours; il permet de faire une comparaison entre les nombres réquisitionnés en 1898 et dans les années précédentes jusqu'à 1895.

ANNÉE 1898.

Tableau (B).—NOMBRE des corvéables réquisitionnés pendant 100 jours.

Cercles.	Provinces.	1898.	1897.	1896.	1895.
1 ^{re}	Kalioubieh	199	30	1,037	1,635
	Charkieh	..	..	201	891
	Dakahlieh	852	153	1,903	2,177
2 ^e	Menofieh	956	400	2,120	3,374
	Gharbieh	1,330	324	2,346	4,652
3 ^e	Béhéra	2,011	964	1,445	2,796
	Ghizeh	1,927	561	1,434	2,649
	Totaux pour la Basse-Égypte ..	7,275	2,432	10,486	18,174
4 ^e	Fayoum	241	516	508	451
	Béni-Souef	1,632	1,126	1,532	2,421
	Minieh	2,572	1,393	2,910	3,265
	Assiout	3,046	2,331	4,197	4,705
Direction de Ghirgneh.	Ghirgneh	3,094	1,073	3,453	4,420
5 ^e	Kéneh	1,370	1,788	1,808	3,015
	Frontière	96	171	219	331
	Totaux pour la Haute-Égypte ..	12,051	8,398	14,627	18,608
	Totaux pour toute l'Égypte ..	19,326	10,830	25,113	36,782

Les périodes réelles pendant lesquelles les corvéables étaient à leurs postes varient de 75 à 100 jours.

En comparant les totaux de la Basse-Égypte pour 1898 avec ceux de 1895, nous constatons une réduction effective de 60 pour cent. en dépit des cotes moyennes supérieures, et presque le même maximum.

En comparant les chiffres de la Haute-Égypte avec ceux de la crue de 1896 auxquels ils ressemblaient, nous trouvons qu'il y a une réduction de près de 18 pour cent.

Naturellement ces chiffres sont supérieurs à ceux de l'année précédente qui était une année de basse crue.

Comparée avec celle des années précédentes de crue analogue, la diminution dans les nombres est considérable.

Cette diminution est due en partie au perfectionnement continu des travaux de protection des digues du Nil et des bassins, et en partie aux soins apportés dans le réquisitionnement du nombre de corvéables et la fixation des périodes strictement nécessaires, réellement exigés par l'état de la crue.

J'ai, &c.

(Signé) IBRAHIM FOUAD,
Ministre des Travaux Publics par intérim.

No. 28.

Sir N. O'Connor to the Marquess of Salisbury.—(Received September 4.)

(No. 410. Confidential.)

My Lord,

Therapia, August 30, 1899.

WITH reference to Sir R. Rodd's telegram to your Lordship No. 161, Secret, of the 22nd instant, repeated to me, relative to the vacancy which seems likely to occur shortly in the Greek Patriarchal Throne of Alexandria, and to the question of the election of a successor to its present occupant, I have the honour to report that an Ottoman official and a prominent member of the Orthodox community here, has furnished me, in strict confidence, with a Memorandum on the subject, to the following effect:—

Owing to the poverty of the Patriarchate of Alexandria there are only two Archbishops dependent on it, which number is insufficient for the formation of a Synod for the election of a Patriarch. Consequently each time that a vacancy occurs disputes arise respecting the way in which the election is to be held.

There exist, however, two precedents, one or other of which can be followed in such cases in place of election by a Synod.

The first of these is that a Patriarch has the right to name his successor by will—a right possessed by the Patriarch of Alexandria alone. The prelate so named is free to refuse the nomination if he should so desire, but should he accept it, he should be at once acknowledged as Patriarch, the will of his predecessor being considered binding.

By another precedent the Œcumenical Patriarchate of Constantinople can proceed to the election of a Patriarch of Alexandria by delegation. In such a case this duty is confided to the Œcumenical Patriarchate by means of an act signed by the Prelates of Egypt and lay representatives of the various Orthodox communities in that country.

Some thirty years since a vacancy occurred, which was filled by Mgr. Nicanor, Archbishop of the Thebaid, on whom, shortly afterwards, the community sought to impose a kind of constitution of eleven Articles, intended to be binding upon him and his successors. These Articles which are enclosed herewith in translation, were never actually put in force owing to the dissensions which quickly arose in the community.

Two new candidates were put forward in opposition to Nicanor, each supported by a group of partisans, and finally the new difficulty thus created was solved by an appeal to the Œcumenical Patriarchate, in accordance with the second precedent above quoted. That Patriarchate deposed Nicanor and appointed Mgr. Sophronios, who has since occupied the throne. He is now ninety-seven years of age, and his serious illness brought the question of methods of election once more into prominence.

After his nomination a fresh "kanonismós" or set of rules for the election of the Patriarchs of Alexandria, précis translation of which I have the honour to inclose herewith, was unanimously adopted by the clergy and the representatives of the laity of Egypt. This scheme never received the sanction of the Sublime Porte, and was not therefore officially adopted.

The illness of the present Patriarch began about eighteen months ago, and his succession at once became the subject of intrigues. The Russian Government put forward as their candidate the Archbishop of Sineon, while Mgr. Joachim III, formerly Œcumenical Patriarch, now living in retirement at Mount Athos, also received support from Russia. The Greek Government put forward the Archbishop of Bethlehem, Delegate from the Holy Sepulchre at Athens; but the fact that he enjoyed the support of Queen Olga was enough to ensure the hostility of the purely Greek and anti-Russian faction in Egypt, who, headed by the millionaire M. Averoff, recently deceased, declared that they would accept no candidate but one put forward by the Œcumenical Patriarchate.

At this point Mgr. Sophronios rallied, and intrigue became proportionately less active, but the foregoing is enough to show what is likely to occur when he actually dies; not only will political passions be aroused, but the situation will be gravely complicated by the absence of a regular method of election accepted as such by all concerned.

It is believed that the present Patriarch has exercised his prerogative of naming his successor in his will; but it is doubtful whether in the present circumstances this nomination would be accepted without dispute.

Recourse might be had, on the other hand, to the "Kanounismós," drawn up twenty-five years ago; but it would appear that it presents many disadvantages apart from the fact that it is after all at best only a scheme lacking any kind of official recognition. The chief disadvantage, which has already given rise to protests, is that it contains no provision

for the invocation of the Holy Ghost, without which the election of a Patriarch cannot be held to be canonical.

A third method would be to adopt the system which resulted in the nomination of the present Patriarch, that is for the Orthodox clergy and laity of Egypt to authorize the Œcumenical Patriarchate to make the appointment, but my informant does not consider that this solution would be acceptable since the Greek community in Egypt have grown so greatly of late years in wealth and independence that they would not be likely to surrender without a protest their right to a voice in the choice of their Patriarch.

In view of these considerations, a scheme has been evolved which, it is considered, will not only meet the foregoing objections, but also others which the Sublime Porte and the remaining Patriarchates are likely to raise to the "Kanonismós" of twenty-five years ago.

It is suggested that the representatives of the Orthodox clergy and laity of Egypt should select a certain number of candidates (from two to four), whose names they should submit to the Œcumenical Patriarchate, which, in its turn, should choose the new Patriarch from among them. This system would give the community a voice in the choice of their Patriarch, it would insure his canonical election, for the Holy Ghost would be duly invoked by the Synod at Constantinople, it would accentuate the position of primacy which belongs of right to the Œcumenical Patriarch, it would insure the recognition of the new Patriarch of Alexandria by the other Patriarchates, who might reasonably object to a less regular mode of election, and it would assure the acceptance of the nomination by the Sublime Porte, whose Firman of investiture is necessary for the legal installation of a Patriarch, and which would not refuse to accord it to a Prelate elected and submitted to it by the Constantinople Synod.

It is contended, therefore, that his scheme combines all the advantages of the others while it is free from all the objections which might be urged against them, and it is desired to enlist the support of the Œcumenical Patriarchate, on the one hand, and, on the other, to obtain its acceptance by the Orthodox community of Egypt.

The latter result can best be attained by an understanding with Mgr. Pagonis, Archdeacon of Alexandria, and with the Chiefs of the the Orthodox community in Cairo.

The community of Alexandria is by far the richest and most important in Egypt. Its members are mostly natives of Chios, as is Mgr. Pagonis himself, with whom they are firmly united in support of their religious interests. They are free from Russian influence, which has a certain number of supporters in Cairo.

This account which I have communicated to Her Majesty's Acting Agent and Consul-General in Cairo is all the information I have so far been able to obtain on the subject.

I have, &c.
(Signed) N. R. O'CONOR.

Inclosure 1 in No. 28.

Précis of the "Règlement" of the Eleven Articles.

(From "Ecclesiastical Supervision," Kalliphronas, p. 254, April 1866).

THE Orthodox community of Alexandria on the occasion of the election of Nikanor, Bishop of Thebaid, to the Patriarchal Throne of Alexandria, drew up the following Regulations to be observed on all future occasions of a Patriarch being elected.

Article 1. The Throne to be independent.

Art. 2. The Patriarch to be elected by the clergy and laity without the interference or any other authority, ecclesiastical or civil.

Art. 3. The Patriarch to be assisted by a Synod of clergy of the diocese.

Art. 4. When any Archbishopric falls vacant the successor is named by the Eparchy and approved by the Synod.

Art. 5. All matters concerning the Patriarchal Throne are to be settled by a convocation of the Synod and of the delegates of the communities.

Art. 6. The seal of the Patriarch to consist of five pieces, which remain in the custody respectively of the Patriarch and of the members of the Synod.

Art. 7. Accounts of the receipts and expenditure of the Patriarchate are to be furnished annually to the delegates of the communities.

Art. 8. The Patriarchal Throne is the heir to the Patriarch.

Art. 9. The Patriarch is forbidden to interfere in the elections of the delegates of the communities and their management of their finances.

Art. 10. The details of such management will be prescribed by the Patriarch, the Synod, and the delegates of the communities.

Art. 11. No person can be elected Patriarch until he has accepted these Regulations.

Inclosure 2 in No. 28.

Précis of Regulations drawn up Twenty-five years ago for the Election of the Patriarch of Alexandria.

CAP. I.—Election of *locum tenens*.

ARTICLE 1. Upon the Patriarchal Throne of Alexandria falling vacant, the general administrator of the Patriarchate for the time being is at once to summon a convocation at the Synodal Hall at the Patriarchate in Cairo, over which he will preside, for the purpose of electing a *locum tenens*.

Art. 2. This Convocation will consist of the Arch-Priests of the diocese, if any; the Grand Chancellor, the Grand Arch-Deacon, the Abbot of the Monastery of St. Savva at Alexandria, and the Abbot of the Patriarchal Monastery of St. George at Old Cairo; the chief of the Church of the Evangelism at Alexandria, the chief of the other Church in Alexandria of the Dormition of the Holy Virgin and the Chief Priest in seniority of the Church of St. Nicolas at the Patriarchate at Cairo; and of the delegates, six members from each of the communities at Alexandria and Cairo.

Art. 3. The *locum tenens* is to be elected from among the Arch-Priests or Archimandrites or officiating clergy of the diocese, and must be a person of blameless character and of good repute.

Art. 4. The election is by secret ballot, and the person obtaining a relative majority is declared *locum tenens*.

Art. 5. In case of equality of votes, the matter will be decided by lot.

Art. 6. Upon the election of a *locum tenens* in the manner prescribed above, the President of the Convocation will report the fact by despatch for approval to the Government, inclosing a certified copy of the Minutes.

CAP. II.—Duties of the *locum tenens*.

Article 1. When confirmed by the Government, the *locum tenens* will, on the first opportunity, address signed letters to all the Arch-Priests of the diocese, whether on active service or on leave, or to other members of the clergy, calling on them to send in to him within four weeks of the issue of such letters a sealed paper giving the name of the person whom they consider suitable according to Article 6 of Chapter V to succeed as Patriarch. Such papers must be marked outside "For the Electoral Convocation," and must remain unopened in the custody of the *locum tenens* until the Electoral College meets, when they are to be opened.

Art. 2. One week before the electoral meeting the *locum tenens* writes to the electors appointed by the present Regulations calling on them to send in their voting papers sealed, as well as those of the clergy outside (? the province).

Art. 3. Similarly, one week beforehand the *locum tenens* summons by letter all the clergy holding office within the Patriarchal Throne to proceed either in person to Cairo, or, if prevented by spiritual reasons, to send in their opinion in a sealed paper, as laid down in Article 1 of the present Chapter.

Art. 4. Similarly, the *locum tenens* addresses letters summoning the following: The delegates of the Orthodox communities in Egypt to elect in general assembly of each community the representatives who are to attend on the appointed day at the Electoral College provided with full powers, the Grand Masters of the recognized Guilds in Alexandria and Cairo to attend at the meetings on the day appointed. Similarly, the *locum tenens* notifies by letter all doctors and lawyers in Cairo and Alexandria to assemble and each select two representatives to attend at the Electoral Assembly.

Art. 5. The following will be elected: Six representatives for Alexandria, six for Cairo, as well as one from each community of the two cities.

CAP. III.—*Election of a Patriarch.*

Article 1. The Electoral Assembly for the election of a Patriarch is composed of any of the Arch-Priests of the Patriarchal Throne who may be present, the Grand Chancellor, the Grand Archdeacon, the Abbot of the Monastery of St. Savva at Alexandria, the Abbot of the Monastery of St. George at Cairo, the chief priest of each of the churches of the Evangelism, and the Dormition of the Holy Virgin at Alexandria, the senior clergyman at the Patriarchal Church of St. Nicolas, and any other members of the clergy of the Throne who may have been summoned, the representatives of the communities as provided in Article 4, Chapter II, the Heads of the recognized Guilds, and the representatives of the learned professions.

Art. 2. The day of the election is always to be the first Sunday after the expiration of four weeks after the issue of the *locum tenens'* letters. Any elector not attending loses his right to take part in the election. The place is to be the Church of St. Nicolas, at the Patriarchate in Cairo.

Art. 3. Each member of the Electoral Assembly has one vote.

Art. 4. All the electors summoned being present in the Church of St. Nicolas, and their letters having been read, the doors are closed. The voting papers are then opened and read by the Clerk and four members of the Assembly—two cleric and two lay—in the presence of all the members. The names on the voting papers of such persons as are eligible are taken down on a separate list, if supported by other electors present.

Art. 5. Similarly, any lay member present has the right to put forward any person he may think fit, if five others present support him.

Art. 6. All candidates must be of full age, of complete education, of good character, and virtuous; they must have been all their life followers of our Holy Church and Ottoman subjects.

Art. 7. The list of eligible candidates is drawn up and after being signed by the *locum tenens*, is forwarded by him in a despatch to the Government for any observations, which should be communicated to the Patriarchate within twenty-four hours.

Art. 8. When the above formalities have been carried out, the Electoral Assembly meets again on the following Sunday at the Church of St. Nicolas and proceeds to select by secret ballot one of the candidates on the list. The candidate who obtains the absolute majority is considered the Patriarch elect.

Art. 9. Should no candidate obtain an absolute majority of votes, a second secret ballot takes place between the two who have most votes, when the one who has the majority is proclaimed Patriarch.

Art. 10. In case the votes are equal the matter is settled by lot.

Art. 11. The result of the election is at once reported by the *locum tenens* in a despatch to the Government for approval, and every effort is made to obtain such approval within twenty-four hours.

Art. 12. As soon as such approval has been received, the Assembly is again convoked with as little delay as possible in the Church of St. Nicolas in order that the Patriarch Elect, if he is one of the Arch-Priests of the Throne, may be installed with the proper religious ceremony. A Memorial to that effect is then signed by the Arch-Priests, if any, in the annals of the Patriarchate.

Art. 13. Should the Patriarch Elect not be an Arch-Priest, he is forthwith raised to that rank.

Art. 14. Should the Patriarch Elect not belong to the Patriarchal Throne, his election is announced to him in writing for further action.

Art. 15. Should the Patriarch Elect refuse to take up the Patriarchal Office, a new election takes place in the same form.

Art. 16. The Patriarch will on the day following his election present himself to the Khedive.

Art. 17. The Patriarch is appointed for life.

CAP. IV.—*Resignation of the Patriarch.*

Art. 1. In the event of the voluntary resignation of the Patriarch, the same Electoral Assembly as is provided for in Article 2, cap. 1, is convoked by the Patriarch, who, after notifying his resignation, withdraws. The Assembly then at once proceeds to the election of a *locum tenens*.

Art. 2. In such case of voluntary resignation the Patriarch has the right of himself suggesting his successor, who is thereupon at once balloted for without discussion.

Art. 3. All previous Regulations for the election of a Patriarch are void.

Art. 4. The present Regulations will become valid as soon as they have been confirmed by the Patriarch and all the Orthodox communities in Egypt and sanctioned by the Government. It will remain in force until it is modified or replaced by a new set of Regulations, which can, however, only be done upon a request from the Orthodox communities in Egypt confirmed by the Patriarch and sanctioned by the Government.

(Signed) SOPHRONIOS, Patriarch of Alexandria.

September 1874.

The members of the Helleno-Egyptian Community of Alexandria:—

N. Theodorou, Pantelides, C. Mankos, C. Sinadinos, E. Metaxooglou, J. K. Choremis, P. Poustros, D. Satolis, J. Tsa Theodore M. Rallis, President.

Citizens present at the ratification of the present Regulations:—

George Minotos, George Averoff, J. Antoniadis, A. Nikopoulo, J. T. Iiddis.

Members of the Delegation from the Cairo Orthodox Community:—

N. G. Psoros, A. Zarakoudis, P. Yoannidis, V. Vogeridis, R. Michil, J. Akavalos, D. Antoniou, N. Marata and two Arabic names. Secretary: G. J. Matsaras.

Citizens present:—

P. Pissas, A. Dimiadis, D. Philipo.

Members of the Orthodox Community of Zagazig:—

J. A. Koundouris, N. Grolos, J. Kokkas, D. Parisidis, J. N. Ratsi, P. Geritsopoulos, J. E. Strati, Z. E. Roidas, E. Maratas, D. Triantafillou, A. D. Philippidis, A. M. Pappadopoulos.

Members of the Orthodox Community of Mansoura:—

S. Kapparis, J. Deonouras, N. Argiri, D. Emmanuel, A. M. Rall, R. Krokidas, A. Asimanopoulos, P. Travesaros, G. Renieris.

Members of the Orthodox Community of Ismailia:—

M. Lants, Z. Triandafillou, N. Ankaritis, E. Bofillas, L. Nikolaou, D. Karakasis, J. Kazandina.

Members of the Orthodox Community of Port Said:—

J. Koutonmas, A. Liveratas, S. Haramoudis, N. Daskalakis, K. Pangalos, S. Leonidou, N. Tsitsinias, P. Loisides, C. Smyrniades, T. A. Thalassinos.

Members of the Orthodox Community of Tanta:—

A. M. Karderis, K. Milkovich, D. J. Nikolaidis, R. Anastasiadis, E. Horiatopoulos, M. Kaloyannis, A. Stavridis.

Members of the Orthodox Community of Kafr Zayat:—

N. J. Katillis, M. V. Maschas, D. A. Harisios, M. G. Maschas, C. Tslikis, L. Batsos, R. Kaikis, N. Avami, N. Mellas, J. Philippou, M. Photios, D. P. Tsiras, N. Liamquodopoulos.

Members of the Orthodox Community of Damietta:—

K. Pasiour, A. Gerasimou.

Members of the Orthodox Community of Kimbira:—

G. D. Kisemlis, S. Bisbikis Hajji, K. Georgiou, G. Stikis, K. D. Philippittidis, K. Psarellas, M. Georgiou, K. N. Phlikas.

No. 29.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 11.)

(No. 168.)

My Lord,

Cairo, September 1, 1899.

WITH reference to my despatch No. 156 of the 25th ultimo, I regret to have to report that the rise of water on the Blue Nile has not affected the main flood, as it was

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hoped it might do, and that the irrigation authorities report that prospects are now worse than in 1888.

I have, &c.
(Signed) RENNELL RODD.

No. 30.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 8.)

(No. 169. Confidential.)

My Lord,

Cairo, September 1, 1899.

WITH reference to my telegrams Nos. 161 and 166 of the 22nd and 30th ultimo respectively, I have the honour to forward to your Lordship herewith a copy of the draft Regulations for the election of a Greek Patriarch for Alexandria, which were drawn up in 1874 by the leading members of the Greek ecclesiastical hierarchy and the Notables of the community, for submission to the Egyptian Government.

It seems now quite impossible to trace what became of this document at the time, but it is pretty clear that it was never submitted at Constantinople. The only archives bearing on the subject in the possession of the Egyptian Government are a correspondence between Ismail Pasha and the Grand Vizier in 1869, in which the Viceroy raised the question how far Hellenic subjects had a right to vote for the Patriarch, and proposed as a compromise, in view of the local agitation, that Hellenic subjects who had been five years resident in Egypt should be allowed to vote with local subjects. This proposal was strongly disapproved at Constantinople, and the principle was laid down that only rayahs could be candidates or electors.

Since that period the number of Greeks in Egypt who have established a claim to Hellenic nationality has no doubt largely increased.

I have also the honour to forward a copy of the Regulations in force at Constantinople for the election of the Patriarch there.

The Regent had sent for these Regulations in the hope that, failing any agreement among the Greeks here as to the nature of the rules to be adopted, it might be found practicable to enforce the Constantinople procedure.

In this, however, there is an initial difficulty, inasmuch as at Constantinople the "Substitut du Patriarche," who manages the election, is selected by the Synod from among the Bishops who compose it, while in Egypt there are only two Bishops and no Synod.

It is on this account that the draft Regulations for Egypt, which in other respects are based largely on the Constantinople procedure, substitute for the Synod an electoral body composed of the superior clergy and twelve representatives of the laity (Article 2, Chapter I). There is, however, no procedure laid down for the election of these representatives, nor is it specified that they must be local subjects.

Again, the electors who are to be invited by the "Substitut" to take part in the election of the Patriarch are enumerated in Article 4 of Chapter II, and here it is stated that the lay electors are to be chosen by the doctors and lawyers, a class in Egypt who are almost universally of Hellenic nationality.

Article 6 of Chapter III provides that candidates for the Patriarchate must be Ottoman subjects, but the provision is put in the last place, almost as an after-thought.

Article 11 of Chapter III makes the approval of the Khedivial Government necessary for the confirmation of the election, without reference to Constantinople, while Article 16 makes a solemn audience of the Khedive the final step in the proceedings.

The adoption of the draft Regulations as they stand would therefore probably lead to a conflict with Constantinople, all ground for which would be cut away if a provision were inserted laying down that the electorate must be confined to local subjects. There can, I think, be little doubt that the Egyptian Government will be within their rights in dealing with the question as one of internal administration, and in treating the Greek Orthodox Church in Egypt on the analogy of the local Coptic Church; but where Hellenes—i.e., foreign subjects—admitted to have a right to vote the legality of this position might be questionable.

The fact that when the Patriarchate last became vacant the Khedive, after a long period of dispute, himself wrote to the Sultan and invited His Imperial Majesty to

appoint a Patriarch, would appear to show that up to that time the matter was considered to be solely in the province of the Khedivial Government.

The Greeks in Egypt are much divided on the question of the election, and I do not anticipate that it will be easy to secure the co-operation of a working majority with the Government, if, as it seems logical to do, the Government maintain that electors must be confined to local subjects.

Meanwhile, the condition of the Patriarch is growing daily more precarious, and should his death ensue before any decision has been come to, a somewhat serious situation will be produced. Every attempt will be made to come to some working arrangement, but should all negotiations fail, I venture to submit that the best course will be for the Egyptian Government to define a form of procedure, based on the proposals which have been submitted to them, with such modifications as they may consider necessary, and to notify that only an election carried out according to this procedure will be considered valid and be confirmed.

The Regent is instinctively averse to incurring the charge of interfering with the spiritual concerns of any religious body, but is willing to undertake this course if he is assured that it will have the approval and support of Her Majesty's Government.

I have, &c.
(Signed) RENNELL RODD.

Inclosure 1 in No. 30.

Proposed Egyptian Regulations for the Election of the Patriarch of Alexandria.

CHAPITRE I.—*Election du Substitut du Patriarche.*

ARTICLE 1^{er}. Dès que le Siège Patriarcal d'Alexandrie deviendra vacant le Vicaire-Général du Patriarche convoquera, sous sa présidence dans la salle d'audience du Patriarcat au Caire, une assemblée à l'effet d'élire le substitut du Patriarche.

Art. 2. L'assemblée sera composée comme suit :—

1. Les Prélats du Siège Patriarcal, s'il y en a.
2. Le Grand Protosynelle, le Grand Archidiacre, le Supérieur du Couvent de Saint-Saba d'Alexandrie, le Supérieur du Couvent de Saint-Georges, du Vieux Caire.
3. Le Supérieur de l'Église de l'Annonciation, d'Alexandrie, le Supérieur de l'Église de l'Assomption de la Sainte-Vierge, d'Alexandrie, le prêtre le plus élevé en grade de l'Église de Saint-Nicolas, du Caire.
4. Six délégués de la communauté d'Alexandrie; six délégués de la communauté du Caire.

Art. 3. Le substitut du Patriarche sera élu parmi les Prélats du Siège Patriarcal, ou parmi les Archimandrites, ou parmi les prêtres investis de fonctions élevées, et jouissant d'une bonne réputation et d'une bonne conduite.

Art. 4. L'élection aura lieu au scrutin secret; le candidat qui réunira le plus de voix sera proclamé substitut du Patriarche.

Art. 5. En cas de partage égal des voix, on procédera à un tirage au sort.

Art. 6. Après l'élection du substitut dans la forme sus-énoncée, avis en sera donné au Gouvernement Khédivial, afin de reconnaître et de sanctionner cette élection. Cette communication lui sera faite par lettre du Président de l'assemblée, accompagnée d'un extrait du procès-verbal de la séance.

CHAPITRE II.—*Attributions du Substitut du Patriarche.*

Article 1^{er}. Dès que le Gouvernement Khédivial aura confirmé son élection, le substitut adressera des lettres chargées signées par lui aux Prélats du Siège Patriarcal, ainsi qu'aux prêtres détachés par autorisation du Patriarche pour remplir des missions ressortissant au Patriarcat, d'avoir à adresser au substitut au Caire dans un délai de quatre semaines à partir de la date des lettres émanant de lui, des plis cachetés contenant le nom du candidat qui leur paraîtra réunir les conditions requises aux termes de l'Article 3 du Chapitre III.

Ces plis portant l'inscription (à l'assemblée d'élection) seront conservés par le substitut sans être décachetés, pour être ouverts le jour de réunion de l'assemblée d'élection.

Art. 2. Une semaine avant la réunion de l'assemblée d'élection, le substitut avisera les ecclésiastiques désignés dans ce Règlement de la constitution de l'assemblée d'élection, et les invitera à envoyer leurs bulletins d'élection sous plis cachetés, ainsi qu'il a été dit pour les prêtres se trouvant loin du Siège Patriarcal.

Art. 3. Le substitut enverra également une semaine à l'avance, des lettres chargées à tous les prêtres investis de dignités au Siège Patriarcal d'avoir à se rendre au Caire; s'ils peuvent s'y rendre, ils se conformeront alors aux dispositions de l'Article 7. En cas d'empêchements spirituels, ils seront tenus d'envoyer leur vote dans des plis cachetés ainsi qu'il est dit à l'Article 1^{er} de ce Chapitre.

Art. 4. Le substitut devra aussi une semaine à l'avance demander par lettres chargées :—

1. Aux Comités des communautés Orthodoxes d'Égypte de désigner leurs délégués chacun dans une assemblée générale, et les inviter à se présenter à l'assemblée d'élection munis de leurs pouvoirs en due forme, aux jour et heure fixes;

2. Les chefs des Corporations industrielles respectables à Alexandrie et au Caire, seront invités d'avoir à se présenter en personne aux jour et heure fixes pour la réunion de l'assemblée.

Le substitut invitera également les médecins et les avocats d'Alexandrie et du Caire à déléguer pour chaque ville deux membres pour les représenter à l'assemblée d'élection.

Art. 5. Le nombre des membres délégués devra être six pour Alexandrie, six pour le Caire, et un pour chacune des communautés des autres villes.

CHAPITRE III.—Élection du Patriarche.

Article 1^{er}. L'assemblée électorale appelée à élire le Patriarche doit être composée (1) des Prélats du Siège Patriarcal s'il y en a; (2) du Grand Protosyncelle, du Grand Archidiacre, du Supérieur du Couvent Patriarcal de Saint-Georges, au Vieux Caire, du Supérieur de l'Église de l'Annonciation, à Alexandrie, du Supérieur de l'Église de l'Assomption de la Sainte-Vierge, à Alexandrie, du prêtre le plus élevé en grade parmi le clergé de l'Église Patriarcale de Saint-Nicolas, au Caire, et des autres prêtres du Siège Patriarcal convoqués et présents; (3) des délégués des communautés et des chefs des Corporations d'Arts et Métiers, ainsi que des délégués des professions libérales, mentionnés à l'Article 4 du Chapitre II.

Art. 2. L'assemblée électorale doit toujours se réunir le Dimanche qui suivra l'expiration des quatre semaines à compter de la date des lettres de convocation envoyées par le substitut aux personnes se trouvant loin du Siège Patriarcal. Passé ce délai, les délégués retardataires perdront le droit de prendre part à l'élection.

L'élection aura lieu dans l'Église de Saint-Nicolas, au Caire.

Art. 3. Chaque membre de l'assemblée électorale aura un seul vote.

Art. 4. Après la convocation de tous les membres délégués sus-indiqués dans l'Église de Saint-Nicolas, au Caire, et la vérification de leurs pouvoirs, il sera procédé au dépouillement et au dénombrement des bulletins d'élection.

Cette opération sera faite par le Secrétaire et quatre membres de l'assemblée dont deux ecclésiastiques et deux laïques en présence de tous les membres présents.

Les noms des candidats seront, s'ils réunissent cinq autres votes parmi les membres présents à l'assemblée, inscrits dans une liste spéciale.

Art. 5. Il appartient également à tout membre délégué présent à l'assemblée, de proposer un candidat, s'il est appuyé par cinq autres membres.

Art. 6. Les candidats doivent être d'âge mûr, posséder une parfaite instruction intérieure, s'il est possible, une parfaite instruction extérieure, être de bonne mœurs, vertueux, d'un zèle éprouvé pour notre sainte religion et enfin sujets Ottomans.

Art. 7. Lorsque la liste des candidats aura été arrêtée et signée par le substitut et par les membres de l'Assemblée présents, le substitut en transmettra copie au Gouvernement Khédivial.

Si le Gouvernement juge à propos d'éliminer un candidat ou d'émettre toute autre observation, au sujet des candidats, il en fera part au Patriarcat dans les vingt-quatre heures pour faire le nécessaire.

Art. 8. Après l'accomplissement des formalités précitées, l'assemblée électorale se réunira une seconde fois, le Dimanche suivant, à l'heure fixée, dans l'Église de Saint-Nicolas, et procédera si elle est au complet, à l'élection au scrutin secret, d'un candidat parmi ceux dont les noms figurent sur la liste.

Le candidat qui obtiendra la majorité absolue des voix sera proclamé l'élu du Siège Patriarcal.

Art. 9. Si aucun des candidats ne réunit la majorité absolue des voix, un second tour au scrutin secret aura lieu entre ceux ayant obtenu la majorité relative. Celui d'entre eux qui obtiendra le plus de voix sera déclaré Patriarche.

Art. 10. En cas de partage égal des voix, il sera procédé à un tirage au sort.

Art. 11. Le résultat de l'élection faite dans les conditions sus-indiquées, sera immédiatement portée à la connaissance du Gouvernement Khédivial par un rapport du substitut, lequel doit s'attacher à obtenir la sanction du Gouvernement dans les vingt-quatre heures.

Art. 12. Dès que le Gouvernement aura donné sa sanction, l'assemblée électorale, ainsi qu'il est dit plus haut, sera convoquée, dans le plus bref délai, dans l'Église de Saint-Nicolas, pour assister aux formalités rituelles d'investiture de consécration, si l'élu est un des Prélats du Siège Patriarcal. La note canonique sera alors rédigée et transcrite dans le registre du Patriarcat, après avoir été signée par les Prélats du Siège Patriarcal, s'il y en a.

Art. 13. Si le nouvel élu n'a pas la dignité de Prélat, il en sera investi, conformément aux règles ecclésiastiques, par les Prélats du Siège Patriarcal; si le siège est dépourvu de Prélat, on en demandera aux Sièges Patriarcaux les plus voisins, conformément aux règles sacrées.

Art. 14. Si le nouvel élu ne relève pas de ce Siège Patriarcal il lui sera donné avis de son élection par l'intermédiaire de l'autorité ecclésiastique dont il relève, afin de procéder aux formalités nécessaires.

Art. 15. En cas de refus du nouvel élu, il sera procédé à une nouvelle élection conformément aux dispositions qui précèdent.

Art. 16. Le jour suivant celui de sa consécration, le nouveau Patriarche doit présenter ses hommages, en audience solennelle, à Son Altesse le Khédiv, après l'accomplissement des formalités d'usage.

Art. 17. Le Patriarche occupera son siège, sa vie durant.

CHAPITRE IV.—Abdication du Patriarche.

Article 1^{er}. Si le Patriarche désire abdiquer spontanément, il convoquera, conformément à l'Article 2 du Chapitre I du présent Règlement, les membres de l'assemblée d'élection du substitut ou une assemblée plénière. Il lui notifiera sa détermination et se retirera ensuite.

L'assemblée procédera immédiatement à l'élection d'un substitut aux termes des Articles 3 et 4 du Chapitre I.

Art. 2. En cas d'abdication volontaire, le Patriarche aura le droit de proposer le candidat qui lui paraîtra digne d'occuper le Siège Patriarcal; l'assemblée électorale devra accepter ce candidat sans discussion, et inscrire son nom avec ceux des autres candidats.

Art. 3. Tout Règlement pouvant exister outre le présent Règlement, relativement à l'élection du Patriarche, sera considéré comme nul et non avenu.

Art. 4. Le présent Règlement deviendra exécutoire dès qu'il aura été approuvé par le Patriarche et par toutes les communautés Orthodoxes d'Égypte, ainsi qu'après sanction du Gouvernement Khédivial. Il continuera à être appliqué jusqu'à ce qu'il soit modifié ou remplacé par un autre, ce qui ne pourra avoir lieu qu'à la suite d'une demande adressée au Patriarche par toutes les communautés Orthodoxes d'Égypte et sur l'autorisation du Gouvernement Khédivial.

Fait à Alexandrie, au mois de Septembre, 1874.

(Suivent les signatures du Patriarche Sofronios et des membres présents des communautés d'Alexandrie, Caire, Zagazig, Mansourah, Ismailia, Port-Saïd, Tantah, Kafr-el-Zayat, Mehalla-el-Kobra, et Damiette—au nombre de 122.)

Inclosure 2 in No. 30.

Regulations in force for the Election of the Patriarch at Constantinople.

[Not printed.]

No. 31.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 11.)

(No. 170. Confidential.)

My Lord,

Alexandria, September 3, 1899.

WITH reference to my despatch No. 169 of the 1st instant, I have the honour to report that the further the question of appointing a new Patriarch is investigated the more difficult does it become to reconcile the conflicting interests.

In pursuance of the instructions contained in your Lordship's telegram No. 91, I requested the Greek Consul-General to endeavour to obtain the opinion of the leading Greeks in Alexandria, the chief seat of the Colony. Plague and the summer season have, however, so depleted Egypt of the non-Egyptian Colony that he could only suggest consulting the Vicar-General, who had been appointed by the dying Patriarch, and the gentleman who had been designated the representative of the "Greek Community," a self-constituted body, analogous bodies to which exist in all the chief centres of Egypt. Their members are for the most part of Hellenic nationality, though they also include local subjects. The local subjects, or rayahs, however, belong generally to the poorer classes of the population, and have no independent organization.

I submitted to these gentlemen that the Egyptian Government would adopt the Règlement, copy of which was forwarded to your Lordship in my despatch above referred to, with certain modifications—the chief of which was that only local subjects could take part in the election—if they were able to assure me it would be accepted by the majority. This provision, they declared, they could never accept; they had no warrant to agree to alterations in a Règlement which had been drawn up long ago by the ecclesiastical hierarchy and the representatives of the various communities. It was impossible, they said, to distinguish between Hellenes and local subjects in a matter concerning the Church, for although the civil status of Hellenes did not depend on the Patriarch, as does that of local subjects, they look to him for baptism, marriage, and the sacraments of the Church, and the Metropolitan of Athens, were he to come here, would not be able to officiate on their behalf in Egypt without the permission of the Patriarch.

They maintained, moreover, that, although the form of procedure in force at Constantinople lays down that all members of the General Assembly who elect the Patriarch there must be local subjects, as a matter of fact the "Conseil Mixte," whose members form part of that Assembly, contains or has contained a proportion of Hellenic subjects. On this point I have asked Her Majesty's Ambassador at Constantinople to obtain information.

I explained to them that the Egyptian Government did not see their way to acknowledge the right of Hellenic subjects to participate in a matter of internal administration, the more so as this question had already been referred in old times to Constantinople and a principle laid down, to violate which here would probably at once open a conflict.

It was then suggested that the election should be left to the ecclesiastical hierarchy alone, and this difficulty solved by the omission of the laity altogether. In reply to this suggestion, the Vicar-General explained that the intervention of the laity in such elections is prescribed by the Œcumenical Councils, and forms part of the canon law of the Church.

I then suggested that for the time being, in order to obviate confusion, otherwise inevitable, the first Chapter of the Règlement, which deals with the election of a substitute, should be adopted by mutual agreement, with the omission only of the paragraph according to which twelve lay delegates take part in the election, together with the ecclesiastical chiefs. The three gentlemen present admitted that this provision was unworkable; there were other communities more important than that of Cairo, and yet only Cairo and Alexandria were to send delegates, while

nothing was laid down as to the mode of their selection. Nevertheless, they could not take upon themselves the responsibility of agreeing to a modification of the Règlement, and preferred to drop it altogether.

Finally, I was able to secure their agreement and support to a form of procedure for the election of the substitute, for which the Egyptian Government assume the responsibility, namely, that the Règlement should be dropped, and that, in the absence of any recognized form of procedure, the Vicar-General should, immediately on the decease of the Patriarch, convoke all the Orthodox clergy to meet and elect a substitute. The omission of the lay element from this preliminary part of the proceedings simplifies matters considerably, and both the representative of the community of Alexandria and the Greek Consul-General unofficially agreed to use all their influence to make this solution work smoothly.

With regard to the choice of the Vicar-General in this capacity, I must explain that when the Patriarch's illness began to incapacitate him from attending to business, he requested the Egyptian Government to recognize a Vicar-General as empowered to act for him, and the present incumbent was officially recognized in that capacity. He became thus the official representative of the Patriarchate, and it is understood that the community support him in that position.

There are, however, two Bishops at the present time in Egypt. One of them has only been provisionally appointed, and has no Berat; he may, therefore, be disregarded. The other, however, the Bishop of the Thebaid, has always been in violent opposition to the existing Patriarchate, and especially to the Vicar-General. It is said that he intends, as soon as the death of the Patriarch is announced, himself to convoke the clergy, and take matters into his own hands as the senior ecclesiastic in the country. It is rumoured that he has leanings towards Constantinople, and may endeavour to enlist the sympathies of the Porte in favour of his candidature.

Under these circumstances, as the death of the Patriarch was hourly expected, it became necessary for the Government to arrive at some conclusion. Basing their decision on the principle that the Vicar-General was the only authority of whom they had official cognizance, and the person who appeared to have the most influential support in that capacity, the Council of Ministers met immediately, and resolved, at my suggestion, to address a letter to the Vicar-General, while the Patriarch was still alive, inviting him, in view of the grave condition of His Beatitude, to take the necessary measures to secure the safety of the Patriarchate, its seals and archives, and in the event of his decease to lose no time in convoking the Orthodox clergy of Egypt to select, under his presidency, a substitute for the Patriarch. The necessary telegrams were all prepared, and the letter was sent off to the Vicar-General about midday.

Shortly after 3 o'clock this afternoon the Patriarch died.

I have no doubt there will be opposition to the proceedings of the Vicar-General, and it will be argued that his mandate expired with the death of the Patriarch; but with the authority of the Government behind him, I trust he will be able to carry out the preliminary election of the substitute without complications.

We are, however, only at the beginning of our difficulties, and the Government has now to consider what form of procedure it can approve for the election of the Patriarch himself.

I have, &c.
(Signed) RENNELL RODD.

No. 32.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 11.)

(No. 171.)

My Lord,

Cairo, September 4, 1899.

I HAVE the honour to transmit to your Lordship herewith a Statement, published by the Commissioners of the Caisse de la Dette in the "Official Journal" of the 2nd instant, as to the present situation of the sinking fund of the Guaranteed 3 per Cent. Loan.

I have, &c.
(Signed) RENNELL RODD.

Inclosure in No. 32.

Extract from the Egyptian "Journal Officiel" of September 2, 1899.

CAISSE DE LA DETTE PUBLIQUE.—EMPRUNT GARANTI 3 POUR CENT.

Amortissement du 1^{er} Septembre, 1899.

Fonds applicables à l'amortissement—	£	E.	m.
Solde du semestre précédent	75	355	
Produit des biens libres catalogués et de recouvrements d'arriérés à fin 1879 (4 ^e trimestre 1898 et 1 ^{er} trimestre 1899)	7,624	580	
Dotation d'amortissement du 1 ^{er} Septembre, 1899, 30,759l.	29,990	025	
	37,689	960	
Emploi des fonds—			
Tirage au sort du 29 Juin, 1899, pour la somme de 38,600l. nominales remboursable au pair	37,635	000	
Solde disponible	54	960	

Par suite de cet amortissement, le capital de l'Emprunt Garanti 3 pour Cent, qui était pour l'échéance du 1^{er} Septembre, 1899, de 8,149,400l. nominales, se trouve réduit à 8,410,800l. nominales.

La demi-annuité fixe de 157,500l. au 1^{er} Mars, 1900, se décomposera comme suit: 126,162l., dotation d'intérêts; 31,338l., dotation d'amortissement.

Les Commissaires-Directeurs,
(Signé) C. DE HOELTZKE.
G. LOUIS.

Le Caire, le 2 Septembre, 1899.

No. 33.

The Marquess of Salisbury to Sir R. Rodd.

(No. 191.)

Sir,

Foreign Office, September 11, 1899.

I DULY received your despatch No. 146 of the 4th ultimo, forwarding a copy of a note from the Egyptian Acting Minister for Foreign Affairs, in which were inclosed two draft Decrees relating to pawnbroking establishments, to the issue of which the assent of Her Majesty's Government is requested.

After consultation with the Law Officers of the Crown, I authorize you to express to the Egyptian Government the assent of Her Majesty's Government to the issue of these Decrees.

I am, &c.
(Signed) SALISBURY.

No. 34.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 18.)

(No. 174. Confidential.)

My Lord,

Cairo, September 9, 1899.

I HAVE the honour to report that, at a meeting of the Greek Orthodox clergy in Egypt, convened by the Vicar-General of the Patriarchate in Alexandria, the priest

No. 33*.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 15.)

(No. 174.)

(Telegraphic.) *En clair.**Bacos, September 15, 1899.*

SIRDAR has received letter from Moussa Adibbo reporting his defeat by Dervishes under Arabi Dafallah, who has occupied Shakko south of Darfur, and asking for reinforcements from Government.

[1566]

N*

Meletios, who holds the rank of Grand Protosyncellos, was elected substitute by 32 votes against 10 recorded in favour of the Metropolitan of Thebaid. The minority was composed of eight Syrian priests and two Greeks. The majority were, I understand, all Greeks.

The Metropolitan of the Thebaid lodged a protest against the election on the grounds that it had not been properly presided over, the Vicar-General having no right to preside in his presence; that two Bishops belonging to Egypt were absent; that the successful candidate was of inferior rank to himself; and, finally, that he was of Greek origin.

The Government decided to take no notice of this protest. They considered the meeting had been properly convened, the Vicar-General having been appointed by the late Patriarch before his death, and no protest having been made to the appointment. The absence of the two Bishops was due to the fact that they had been exiled from the country by the Patriarch in virtue of his hierarchical powers, and the election of a substitute admitted of no delay. There was precedent for the appointment of a substitute of lesser rank than that of a Bishop; in fact, on the last occasion when the Patriarchate was vacant, the substitute, who was, I understand, in view of the discords prevailing here, nominated by the Patriarch of Constantinople, was only an Archimandrite. The last point, however, required some examination. The successful candidate was undoubtedly of Hellenic origin. But all Hellenes who take service abroad without sanction of their Government lose their title to Hellenic nationality, and, the Patriarchate being a local and rayah institution, the fact of entering into that body entails subjection to local jurisdiction. A considerable number of ecclesiastical precedents can be cited in favour of this point of view, and as there did not appear to be any other Prelate in the body possessing the necessary instruction, the Government, after receiving adequate assurances as to his present status, decided to confirm his election. In so doing, however, they took the opportunity of reminding him that candidates for the Patriarchate must be local subjects.

The Metropolitan of the Thebaid called upon me to express his dissent with the view taken by the Government. I explained to him that his protest came rather late. The Government had acted in accordance with the view of the majority, and in the interests of public order. It had been obvious for many years past that the Patriarch Sophronios, whose age was variously estimated from 98 to 105 years, could not live much longer. It rested with the ecclesiastical chiefs to prepare their measures beforehand and propose any scheme they considered satisfactory. He had, however, waited till after the Patriarch's death to make his voice heard in a protest against the measures approved by the Government, which had been based on the procedure indicated by the late Patriarch himself and supported by an overwhelming majority of the local clergy.

The whole question at present at issue is one between the Syrian and the Greek elements in the Church here. The Metropolitan of the Thebaid was head of a theological college at Jerusalem, and has the whole of the Syrian party behind him. The Syrians are, however, numerically in a small minority, and I feel sure that any other course than that which the Government has adopted would have led to endless confusion, and probably to unseemly incidents.

The Russian Chargé d'Affaires called upon me yesterday to discuss the question. He disclaimed the idea that Russia had any candidate in view for the Patriarchate. The only interest of Russia, as an Orthodox country, was that there should be no scandal in the Church, and that all proceedings should be orderly and canonical. He had received no instructions on the subject, but his own personal view was that the Metropolitan of the Thebaid was wrong in making a protest after the *fait accompli* of the election, and that the ruling of the majority ought to be accepted.

At the same time he believed that the thirty-two priests who elected the present substitute had been thoroughly drilled by the agents of the Greek Consulate-General, and that it was more than probable that a great deal of underhand pressure had been brought to bear upon them.

I have no doubt that in this belief he is quite correct. The Greek and Syrian interests are in active opposition, and neither party is likely to be over scrupulous in the methods which it uses.

I do not anticipate any further opposition. The election of the substitute was accomplished so rapidly that little time elapsed for party organization. He has entered upon his functions, and is to-day presiding at the funeral of the late Patriarch.

Having secured a substitute the Government will now wait for the next move to

come from the Orthodox communities, with whom it lies to submit the measures they propose to take for the selection of their Patriarch.

I have, &c.
(Signed) RENNELL RODD.

P.S.—I am forwarding a copy of this despatch to Her Majesty's Ambassador at Constantinople.

R. R.

No. 35.

Sir N. O'Connor to the Marquess of Salisbury.—(Received September 20.)

(No. 439. Confidential.)

My Lord,

Therapia, September 13, 1899.

I HAVE the honour to report that Anthopoulos Pasha, the Turkish Ambassador in London who is now on leave of absence, called upon me this morning with a message from the Sultan to the following effect:—

His Imperial Majesty had learnt that some ill-disposed and wicked persons in Egypt had formed themselves into a secret committee, and were engaged in plotting against him as Caliph. Their intention was to send emissaries to the Hedjaz to intrigue against the Caliphate, and by circulating false and malicious stories to lessen and injure his authority and prestige. His Majesty who rated lowly the authority of the Egyptian Government appealed through me to your Lordship to request Lord Cromer to use his powerful influence to check as far as possible a conspiracy which was aimed at a friendly sovereign, and he assured me that he would be deeply grateful for any assistance rendered to him in this direction.

The Ambassador, commenting on the Sultan's message, said that there was nothing upon which the Sultan was so sensitive as his position as Caliph, or to which he attached so much importance. His Majesty had passed over the Egyptian Government as of no account, and had appealed directly to your Lordship and Her Majesty's Government towards whose proceedings in Egypt he could not be accused of having pursued an inimical policy. For this reason His Majesty confidently hoped that his appeal would not be ignored or misunderstood. At the same time His Majesty disclaimed the slightest intention of attributing these intrigues to British influence.

I replied that I was glad to have this assurance from his Excellency, for it was certainly the first time I had heard of the matter.

I confessed I was surprised at the information, and that I could not help suspecting that the story had possibly been concocted by the Vali of the Hedjaz, Ahmed Ratib, who had, I believed, although I could not, of course, absolutely vouch for it, on frequent occasions poisoned His Majesty's mind with absurd stories respecting English intrigues in those parts, with a view to his own advantage, and to proving that his presence was necessary to counteract these intrigues.

However this might be, I could safely state that neither Lord Cromer nor Sir Rennell Rodd would for a moment countenance conspiracy against His Imperial Majesty. Moreover, it would, for any practical purpose, be necessary to have some more precise information as to the persons implicated in these plots and conspiracies, their centre of activity, &c. Furnished with this information, I had no doubt your Lordship would, as requested, mention the matter to Lord Cromer before he returned to Cairo, and that his Lordship would, in a matter of this sort, although generally indisposed to interfere in internal questions, do anything that lay in his power to meet the wishes of His Majesty.

Anthopoulos Pasha said that he would return at once to Yildiz to report what I had said to His Majesty, and that he believed the Sultan would be much gratified.

I said that in this case, perhaps, his Excellency might find an opportunity of pointing out to His Majesty that we expected, at all events, reciprocity in such matters, and that Lord Cromer had already used his influence to mitigate or suppress hostile criticisms of His Majesty in the Egyptian press, but that, on the other hand, Mouktar Pasha apparently lost no opportunity of displaying considerable ill-will towards British policy in that country. I instanced what I meant by a case in point which had quite recently come to my knowledge. A newspaper called the "Mushir" had been proceeded against for an article inciting to assassination and generally libelling the Sultan. On the other hand, a notorious Anglophobe Mustapha Kemel,

who attacks both the British and Egyptian Governments with every sort of scurrilous invention, had lately received from His Imperial Majesty the very high grade of Ula. I said I could give other instances if necessary, but this would be enough, and if his Excellency did not see his way to mentioning them to His Majesty, I would take a proper opportunity of doing so in due course.

His Excellency, speaking very confidentially and so low that it was difficult to hear him, said that His Majesty was surrounded by so many fanatical Sheikhs or self-interested persons with either mistaken or no patriotism, that he was not accountable for half of what took place in his name. If, however, he were honoured by a personal interview of His Majesty, he would repeat the facts I had just mentioned, and he thought it would have an excellent effect.

I have, &c.
(Signed) N. R. O'CONNOR.

No. 36.

Sir N. O'Connor to the Marquess of Salisbury.—(Received September 20.)

(No. 441.)

My Lord,

Therapia, September 14, 1899.

WITH reference to my despatch No. 439 of yesterday, I have the honour to report that Anthopoulos Pasha called upon me again this morning to inform me, on the part of the Sultan, that His Imperial Majesty was most gratified by my assurances respecting intrigues against the Caliphate in the Hedjaz, and that His Majesty would take care that in the future such instances as that of Mustapha Kamel should not occur and give cause of complaint.

His Excellency did not, however, give me any information indicating more definitely the nature and locality of the conspiracies, or the names of the emissaries who were reported to have been, or to be about to be, sent to the Hedjaz.

I have, &c.
(Signed) N. R. O'CONNOR.

No. 37.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 20.)

(No. 175.)

(Telegraphic.) P.

Cairo, September 20, 1899.

IT having now been ascertained that the tribe of the Kenana Arabs were carrying on constant communications with the Khalifa, the Sirdar is of opinion that an expedition to dislodge the latter, as soon as weather permits, is the only means of assuring peace in the Soudan. The road between Kaka on the White Nile and the Khalifa's position at Gedir has been reconnoitred by officers, who find that the difficulties are not so great as was previously stated. Transport is now in course of being moved up the river.

Native irregulars have been sent to assist the local Chief at Shakka, whose defeat by the Dervishes under Arabi Dafallah was reported to your Lordship in my telegram No. 174, and thus to prevent the junction of the force of the latter Emir with that of the Khalifa.

No. 38.

The Marquess of Salisbury to Sir R. Rodd.

(No. 198.)

Sir,

Foreign Office, September 20, 1899.

I HAVE received your despatch No. 170, Confidential, of the 3rd instant, reporting the death of the Greek Patriarch and the measures taken for the election of a substitute.

I approve your action in this matter as reported in your despatch.

I am, &c.
(Signed) SALISBURY.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 21.)

(No. 176.)

(Telegraphic.) P.

Cairo, September 21, 1899.

A CHANGE has lately taken place in the composition of Moukhtar Pasha's staff.

An Aide-de-camp, named Captain Ahmed Bey, was recently relieved of his functions; hearing that he was accused of belonging to the Young Turkish party, and fearing the consequences which might attend his return to Constantinople, he declined to go there on vacating his appointment. The Regent has been invited by Moukhtar Pasha's Secretary to have him forcibly embarked. The Regent protested his inability to comply with this request, on the ground that no criminal charge was preferred.

The Grand Vizier has now telegraphed to the Regent, demanding that "Ahmed Bey, a military deserter," should be arrested, and sent to Constantinople under escort.

The contention of the Regent is that the term "deserter" is not applicable to officers, who may resign their commissions; the arrest, therefore, cannot be carried out on this ground.

Moustapha Pasha Fehmy proposes to take the following line in this matter, but before acting he would be glad to know whether his views meet with your Lordship's approval, and whether he may count on your support.

He would ascertain whether Ahmed Bey has resigned, and if not, suggest his doing so. A telegram could then be sent to the Grand Vizier, stating that there was no deserter of the name of Ahmed Bey in Egypt; that a retired officer of that name could not be surrendered, as no criminal charge had been preferred against him.

The above has been telegraphed to Her Majesty's Ambassador at Constantinople.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 23.)

(No. 176. Secret.)

My Lord,

Cairo, September 16, 1899.

WITH reference to my despatch No. 163 of the 25th ultimo, respecting the proceedings of the Egyptian "Patriotic party," I have the honour to submit to your Lordship some further observations bearing on this subject, which I have recently received.

The Pan-Islamic Secret Society, to which I referred in my despatch quoted above, has been greatly encouraged by the reception which His Imperial Majesty the Sultan has lately accorded to the agitator Moustapha Kamel, the nature of which—however well it may meet the views of certain political parties here—has been the cause of considerable surprise and regret among many of the more reputable and intelligent members of native society.

On his arrival at Constantinople, Moustapha Kamel, who was furnished with warm letters of recommendation from the Ottoman Ambassador at Paris and other Turkish Notabilities, submitted to the Sultan a lengthy Memorandum, detailing the miserable condition of Egypt, the aspirations of the entire people towards the resumption of more direct rule by His Imperial Majesty, and the vigorous measures which he and his coadjutors were prepared to adopt if assured of the approval and support of the Caliph. He produced also a number of letters and other documents purporting to emanate from the numerous malcontents in British India, and expressing sentiments identic with those attributed to the Egyptian people.

Moustapha Kamel spoke in high terms of the loyal conduct of the Khedive, who steadfastly declined to lend himself to the persistent efforts of the English authorities to shake the influence of the Sultan as Caliph, and ventured to urge that His Highness should receive some direct encouragement to persevere in this attitude. I should add in this connection that I consider it highly improbable that Moustapha Kamel had any authority from the Khedive to use this language, as His Highness both dislikes and mistrusts him.

Finally, he asked that support and assistance should be accorded to the Anglophobe Pan-Islamic Society and newspaper, to which I previously referred, undertaking on behalf

of himself and his colleagues that a powerful engine should be created by these means for the prosecution of the Pan-Islamic campaign both in Egypt and in India.

I am informed that His Imperial Majesty was much gratified and impressed by Moustapha Kamel's Memorandum and observations. As your Lordship is aware, a high civil grade was conferred upon him, and in addition the rank of "Sanieh" (Bey) has now been accorded to his brother, and others of his friends and partisans have received marks of His Imperial Majesty's favour. A certain Selim Hamawi, a Syrian who edits a low-class Anglophobe paper here, and on whom the Sultan conferred the rank of Pasha some years ago, has also received, during a recent visit to Constantinople, most striking marks of the approval with which his political attitude is viewed by the Sultan. He was entertained at Yildiz with honours usually accorded to foreign Ambassadors or persons of the highest distinction, urged to maintain his loyal and patriotic attitude, and materially assisted in so doing by the gift of a considerable sum of money.

Your Lordship will readily conceive that intelligence of this nature which is being perpetually received from Constantinople at present, tends in no small degree to keep alive, in spite of the ill-success which attends their efforts in Egypt, the misdirected zeal of the so-called patriots. The approbation of His Imperial Majesty and, still more, substantial tokens of that approbation, are naturally strong incentives to the Egyptian Moslems; and as it is well understood, from the numerous examples of the last few years, that the profession of Anglophobe proclivities, combined with zeal for the propaganda of Pan-Islamism, is the surest means to attain this end, it appears not improbable that the secret societies now in progress of formation may before long assume a more serious character.

I have, &c.
(Signed) RENNELL RODD.

The Marquess of Salisbury to Sir N. O'Connor.

(No. 218.)

Sir,

Foreign Office, September 25, 1899.

I HAVE received your Excellency's despatch No. 439, Confidential, of the 13th instant, reporting an interview with Anthopoulos Pasha, who delivered a message from the Sultan with regard to an alleged plot against the Caliphate.

I approve the language held by your Excellency to Anthopoulos Pasha on this occasion.

I am, &c.
(Signed) SALISBURY.

Sir R. Rodd to the Marquess of Salisbury.—(Received September 27.)

(No. 177.)

(Telegraphic.) P.

Cairo, September 27, 1899.

WITH regard to the case of Captain Ahmed Bey, I have the honour to report that before the answer to the Grand Vizier's demand for the Bey's arrest and dispatch to Constantinople had been sent, as proposed by the Regent and approved by your Lordship, a further telegram arrived from the Grand Vizier, addressed to the Khedive, "ordering" his Highness to comply with the instructions contained in the former telegram, and to send Ahmed Bey under escort to Constantinople.

I did not fail to assure Moustapha Pasha that your Lordship approved the terms of the reply which his Excellency proposed to send to the Grand Vizier, namely, that, having resigned his commission, Captain Ahmed Bey is not a deserter, and that he cannot legally be arrested, seeing that no charge is brought against him. The Regent is, however, somewhat nervous, and begs me to telegraph a second time to your Lordship before he sends a final refusal: I should therefore be grateful for a reassuring message. The Regent has asked, further, whether it would be possible to

instruct Her Majesty's Ambassador at Constantinople to inform the Grand Vizier that persistence in this matter is useless.

Ahmed Bey sent in his resignation to the Minister of War some three weeks ago.

(Secret.)

There has been a marked change in the Sultan's attitude towards Egypt during the last weeks. The attacks on the British occupation and on the Egyptian Administration, published in the paper which is subsidised by His Imperial Majesty, have increased in violence: religion is made use of as a lever. Grades and decorations are lavished on contemptible agitators and extraditions of criminals to Egypt have been countermanded by orders from Constantinople; and in messages addressed to the Khedive or the Government the term "order" is used instead of "request" as formerly.

I have telegraphed the above to Her Majesty's Ambassador at Constantinople.

No. 43.

The Marquess of Salisbury to Sir R. Rodd.

(No. 96.)

(Telegraphic.) P.

Foreign Office, September 27, 1899.

HER Majesty's Government cannot permit that a man who has not been shown to be guilty of any offence should be arbitrarily arrested and deported from a country in British occupation.

Inform the Regent in that sense with reference to what you say in your telegram No. 177 of the 27th September.

No. 44.

Sir R. Rodd to the Marquess of Salisbury.—(Received October 2.)

(No. 179. Confidential.)

My Lord.

Cairo, September 24, 1899.

WITH reference to my telegram No. 176 of the 21st instant, I have the honour to report that the Minister of the Interior has seen Captain Ahmed Bey, who informs him that Moukhtar Pasha bears him a personal grudge for family reasons, as he was married to a relative of the Pasha's whom he had divorced. He believes that Moukhtar has sent in a report against him to Constantinople, in which he is represented as having had intimate relations with Murad Bey, when the latter was a refugee in Egypt, and that he will therefore not have a chance of receiving justice if he returns. He is about to be married in Egypt, and wishes to remain here, and had, about a fortnight ago, sent in his resignation to the Minister of War.

I have, &c.

(Signed) RENNELL RODD.

No. 45.

Sir R. Rodd to the Marquess of Salisbury.—(Received October 2.)

(No. 181.)

My Lord,

Cairo, September 24, 1899.

WITH reference to Lord Cromer's despatch No. 102 of the 30th May last, inclosing certain Ordinances relating to the administration of the Soudan, I have the honour to transmit to your Lordship herewith a Proclamation by the Governor-General of the Soudan, published in the official Journal of yesterday's date, whereby two of the Ordinances in question (namely, those dealing with the Khartoum, Berber, and Dongola town lands and the land tax) are repromulgated in an amended form.

I have, &c.

(Signed) RENNELL RODD.

Inclosure in No. 45.

Extract from the Egyptian "Journal Officiel" of September 23, 1899.

SOUDAN LAWS.

Proclamation.

WHEREAS the signature (in English) of the Governor-General as appended to certain Ordinances and Proclamations already published in the "Soudan Gazette" has been printed as "Kitchener of Khartum" instead of "Kitchener of Khartoum," and whereas certain errors occurred in "The Khartoum, Berber, and Dongola Town Lands Ordinance, 1899," and "The Land Tax Ordinance, 1899," as published in the "Soudan Gazette" of the 27th day of May, 1899;

Now, to prevent any question from arising, the said "Khartoum, Berber, and Dongola Town Lands Ordinances, 1899," and "Land Tax Ordinance, 1899," are hereunder reprinted, and are hereby repromulgated, and the said two Ordinances shall take effect as so repromulgated and not as formerly printed;

And no Ordinance or Proclamation heretofore promulgated shall be in any way invalidated by reason of the signature of the Governor-General being incorrectly printed.

(Signed) KITCHENER OF KHARTOUM,
Governor-General.

An Ordinance for settling questions as to Lands situate within the Towns of Khartoum, Berber, and Dongola, and for providing for the laying out and rebuilding of the said Towns.

Whereas during the recent rebellion the towns of Khartoum, Berber, and Dongola have been reduced to ruins and the lands and buildings therein contained have been abandoned, and the names of the former proprietors are in many cases unknown, as also whether they are alive or dead, and who are the representatives of such as are dead;

And whereas it is expedient that the said towns should be laid out anew and rebuilt in such a manner as to make proper provision for the health and convenience of the inhabitants:

And whereas a Commission has already been appointed to receive and consider all claims in respect of lands situate within the town of Khartoum.

It is hereby enacted as follows:—

1. The towns of Khartoum, Berber, and Dongola respectively, shall, for the purposes of this Ordinance, include the whole of the respective areas inclosed within the lines of the old fortifications and the river.

2. The Commission already appointed for Khartoum shall be reconstituted so as to consist of three commissioned officers of the Egyptian army (whether engaged in military or civil work) and two Notables of the locality; and as so reconstituted is continued as a Commission with the title of the Khartoum Town Lands Commission, for the purposes of this Ordinance.

3. Commissions similarly constituted, with the respective titles of the Berber Town Lands Commission and the Dongola Town Lands Commission, shall be appointed for Berber and Dongola respectively.

4. Every person claiming to be entitled to the ownership of lands or of any share in lands in any of the towns of Khartoum, Berber, or Dongola shall present his claim to the Commission for that town not later than the 31st day of December, 1899, under penalty of forfeiture. A claim may be presented to a Commission either by writing addressed to the President of the Commission and deposited at, or sent by

registered letter to the Mudirich or other prescribed place, or personally or by a duly accredited agent, at any public sitting of the Commission. Claims already presented to the Khartoum Commission need not be represented.

5. Every claim shall describe the land in respect of which it is made, sufficiently for its identification, and shall state its area, and whether it is, or was, building land, or garden land, or under cultivation, and whether the entirety of the land is claimed, or an undivided share only, and shall indicate the nature of the title under which the claim is made.

6. Each Commission shall keep a list of claims presented to it, and the absence of any claim from the list shall be *prima facie* evidence that the claim has not been presented.

7. Each Commission shall adjudicate upon the claims presented to it, after giving such reasonable notice as shall be possible to the claimants, and after hearing them, or their duly accredited agents, if they present themselves. The Commission shall then enter opposite to each claim, upon the list of claims, a statement as to whether it is admitted wholly, or to any and what extent, or whether it is rejected. The decision of the Commission upon any claim shall be final, unless the Governor-General shall, upon the Petition of the claimant to be presented within thirty days after adjudication, order that the case be reheard.

8. All land which is now garden land or under cultivation, and every share therein, a claim to which is admitted, may be purchased by the Government by payment of the fair price, which shall be fixed by the Commission. In fixing the price the Commission shall make no allowance for the purposes for which the Government intends to employ the land, nor for anything already done thereon by the Government.

9. In place of every piece of land other than garden land or land under cultivation, to which a claim shall be admitted, there shall be allotted to the claimant a piece of land in the town, of equal or greater area, and, upon such allotment being made, the title of the claimant to the original piece of land, and all his interest therein, shall absolutely determine. In fixing the land to be allotted to the claimant, regard shall be had, so far as possible, to the purpose for which he intends to use the land, which purpose he shall be bound to state to the Commission.

10. Every allotment shall impose upon the allottee the obligation to erect upon the land allotted, within two years from the earliest date at which allotments shall be made, or one year from the date of the particular allotment, whichever period shall be the longer, a building conforming to the Tanzim Regulations hereafter to be issued.

11. Where a claim is admitted to an undivided share in land, it shall be sufficient to allot to the claimant a piece of land bearing to the whole area of the original plot the proportion which his admitted share in the original plot bears to its entirety.

12. Where the allotment to which a claimant is entitled is less than the minimum area on which, under the Tanzim Regulations to be issued, a dwelling-house may be erected, such minimum area may be allotted, or the Government may purchase the share of the claimant at a fair price, to be fixed in manner aforesaid.

13. Claims in respect of date palms and other fruit-bearing trees shall be made, and such trees may be purchased by the Government in accordance with the provisions hereinbefore contained as to claims in respect of and purchase of garden lands so far as the same are applicable.

14. No sale or transfer *inter vivos*, of a claim to land nor any charge thereon shall have any validity. No sale or transfer *inter vivos* of an allotment before it has been built upon in accordance with section 10 shall have any validity unless and until it shall be registered in the land register, together with an undertaking by the purchaser or transferee to build thereon in accordance with the provisions of and within the time specified by section 10.

15. All lands and trees in the said towns other than lands allotted under section 9 or garden or cultivated lands or trees to which a claim is admitted, but which are not purchased by the Government under the provisions of section 8 or section 13, as also all lands allotted but not built on in accordance with the provisions of, and within the time specified by section 10 shall become and be the absolute property of the Government.

16. No person shall have any claim or right of action whatsoever against the Government in respect of any lands or trees in any of the said towns, or in respect of anything to be done under this Ordinance save in accordance with the provisions of this Ordinance.

17. In this Ordinance the masculine shall include the feminine, words importing the singular shall include the plural, and words importing an individual shall include a body corporate.

18. This Ordinance may be cited as "The Khartoum, Berber, and Dongola Town Lands Ordinance, 1899."

(Signed)

KITCHENER OF KHARTOUM,

Governor-General.

An Ordinance for Regulating the Land-Tax and Date-Tax.

It is hereby enacted as follows:—

1. Land-tax on lands other than land dependent on the rainfall (dahari) shall be levied in such provinces and districts as the Governor-General shall, from time to time, order by notice in the "Soudan Gazette," at the rates following, that is to say:—

(a.) Island land irrigable by means of sakias or shadoofs:—

First-class lands, £ T. 60 per feddan.

Second-class lands, £ T. 50 per feddan.

(b.) Lands on the mainland, irrigable by means of sakias or shadoofs:—

First-class lands, £ T. 40 per feddan.

Second-class lands, £ T. 30 per feddan.

(c.) Foreshore land irrigable by flood—

(Selooka), £ T. 20 per feddan.

(d.) Land irrigable from wells—

(Matara), £ T. 20 per feddan.

2. The tax on date trees in such provinces and districts as the Governor-General shall order in manner aforesaid, shall be levied at the rate of £ T. 2 on every tree, whether male or female, which has commenced to bear. Provided that there shall be exempt from taxation all trees growing in the court or garden of a house assessed for house-tax, when the value of such court or garden is taken account of in estimating the annual rental value of the house.

3. The Mudir shall issue regulations for the classification of lands and for the assessment of the above-mentioned taxes, and shall fix and give sufficient public notice of, the instalments by which, and the times at which the taxes shall be paid. In fixing the amount of the instalments, and the dates for payment, the Mudir shall have regard to the times at which the various crops are gathered.

4. Whenever any part of the land-tax is more than one calendar month in arrear, the prescribed official shall report the case to the Inspector or the Mudir, who shall issue a summons addressed to the owner or owners of the land, by name, or as such owner or owners, directing his or their appearance before him. Such summons may be served on any one of the owners (if more than one), on behalf of the rest. If none of the owners is resident in the village, or none of them is known or can, after the exercise of due diligence, be found, the summons may be served in any manner authorized by law or by fixing it in a prominent place in the village.

5. If upon the hearing of the summons, the Magistrate is satisfied that the crop upon the land has failed through no fault of the owner or cultivator, and that the tax cannot be paid without depriving the owner of the means of earning his living as an agriculturist, the Magistrate may adjourn the summons and report the case to the Mudir for reference to the Governor-General.

6. Subject to the provisions of the preceding section, the Magistrate shall issue a warrant for the attachment of the land, in manner hereinafter prescribed, and shall pass an order directing the Mamur to issue process for the recovery of the whole sum then in arrear in respect of land-tax.

7. In order to recover the sum due, the Mamur shall first issue a warrant for the seizure of any money or other movable property of the owner or owners in default or of any of them.

Provided that there shall be exempt from seizure under this section:—

(1.) The necessary clothing of an owner, his wife or children;

(2.) The tools of an artisan, or the implements of a cultivator;

(3.) Cattle ordinarily employed by their owner in agriculture and necessary in the opinion of the Magistrate to his continuing to earn his livelihood by agriculture.

8. For the purpose of ascertaining the movable property of an owner, or owners, any person may be summoned by the Magistrate or Mamur to appear before him and may be examined.

9. If the sum in arrear be not paid within fourteen days of the seizure under section 7, the goods seized, or a part thereof sufficient to meet the arrears of the tax and the costs of the proceedings, shall be sold by the Mamur by public auction. Provided that goods of a perishable nature may be sold at once.

10. If the sum raised under the preceding section be insufficient to meet the arrears of the tax and the costs of the proceedings, or no such sum can, with due diligence be raised, and there is a growing crop upon the land, the Mamur shall so soon as the crop is ripe, issue a warrant for the seizure of the crop and for the immediate sale of the crop, or a competent part, thereof, by public auction.

11. If there be no crop, or if the proceeds of the sale of the crop when sold are insufficient, the Mamur shall issue a warrant for the seizure and immediate sale in manner aforesaid of the cattle exempted from seizure under clause 3 of the proviso to section 7.

12. If, after the steps described in the preceding sections have been taken, there is still any part of the tax in arrear, the Mamur shall sell the land or a competitive part thereof by public auction.

Provided that the land shall in no case be sold until a period of two calendar months at the least has elapsed since the commencement of the proceedings.

A sale of land under this section shall confer on the purchaser a title to the land free from all encumbrances.

13. The proceeds of sale under this Ordinance shall be applied in the first instance in satisfaction of the cost in the proceedings, and next in payment of arrears of tax, and the balance shall be remitted to the Magistrate for payment to the persons appearing to be entitled thereto.

14. Where there is a *bond fide* question as to the ownership of any property seized or attached under this Ordinance or as to the persons entitled to the balance of the proceeds of sale, the Mamur may stay proceedings, and try the question if it be within his competence, or refer it for trial to the Magistrate.

15. If upon the hearing of the summons mentioned in section 4, the Magistrate is satisfied that the owner has not, or that the owners have not, wilfully neglected to pay, or attempted to escape payment of, the tax, and that there is a growing crop upon the land, he may issue a warrant for the attachment of the land and pass an order directing the Mamur to proceed against the crop when ripe under section 10 before proceeding under section 7.

16. If it be made to appear to the Magistrate at any stage of the proceedings that the cultivation of the growing crop mentioned in section 10 or section 15 is being neglected, he shall pass an order directing the Mamur to proceed as if there were no growing crop.

17. Attachment of land shall be effected by proclamation in the village and by giving notice to the Omdeh or Sheikh of the village.

It shall operate to render invalid any sale or transfer of, or charge upon, the land, or the produce thereof, or of or upon the cattle or implements of agriculture employed in the cultivation thereof, which shall be made without the consent of the Magistrate, prior to the removal of the attachment.

18. When any part of the date-tax is more than one calendar month in arrear, payment may be enforced against the owners and against the date-trees owned by them in the same manner, so far as may be, as payment of land-tax is enforced against land and its owners.

19. Co-owners of land or date-trees in undivided shares shall be jointly and severally liable for land or date-tax.

20. In this Ordinance "the Magistrate" shall mean the Mudir or Inspector by whom the original summons is issued or his successor in office.

21. This Ordinance may be cited as "The Land-Tax Ordinance, 1899."

(Signed) KITCHENER OF KHARTOUM,
Governor-General.

No. 46.

The Marquess of Salisbury to Viscount Cromer.

(No. 212.)

My Lord,

Foreign Office, October 5, 1899.

I HAVE received Sir R. Rodd's despatch No. 181 of the 24th ultimo, inclosing a Proclamation by the Governor-General of the Soudan, whereby two of the Ordinances relating to the administration of the Soudan, namely, those dealing with the Khartoum, Berber, and Dongola town lands, and the land tax, are repromulgated in an amended form.

These two Ordinances, as amended, may be approved.

I am, &c.
(Signed) SALISBURY.

No. 47.

Viscount Cromer to the Marquess of Salisbury.—(Received October 20.)

(No. 191.)

(Telegraphic.) P.

Cairo, October 20, 1899.

THE Khedive, having received a message from the Sultan inviting him to quit Rhodes, is proceeding to Cyprus. I have communicated to the Governor this information.

No. 48.

Viscount Cromer to the Marquess of Salisbury.—(Received October 21.)

(No. 192.)

(Telegraphic.) P.

Cairo, October 21, 1899.

IT is evident that the Khedive and Sultan are on the worst possible terms. The Khedive, I hear, recently refused his brother permission to visit Constantinople when he wished to do so. I hear that Prince Hussein, the Khedive's uncle, who is the most intelligent of the family, has received a summons to proceed to Constantinople. The Prime Minister suspects, in consequence of all this, that the Sultan meditates some action against the Khedive. The Khedive has recently been inclined to display greater friendliness towards England, and Mustapha Pasha thinks the opportunity now arises to strengthen this disposition.

I trust your Lordship will approve my having told him that he may give the Khedive the most positive assurance that His Highness has nothing to fear from any action of the Sultan so long as his conduct commends itself to Her Majesty's Government.

No. 49.

Viscount Cromer to the Marquess of Salisbury.—(Received October 23.)

(No. 187.)

My Lord,

Cairo, October 13, 1899.

WITH reference to my telegram No. 150 of the 13th July and to subsequent correspondence on the subject of the Khedive's journey, I have the honour to transmit herewith to your Lordship a translation of a telegram which has been addressed to His Highness by the Grand Vizier, ordering him, by command of His Imperial Majesty, to return to Egypt at once.

I have, &c.
(Signed) CROMER.

Inclosure in No. 49.

The Grand Vizier to His Highness the Khedive.

(Translation.)

(Telegraphic.)

[Undated.]

IT being understood that your Highness, having returned from Europe to Rhodes, is purposing to prolong your journey for some while by yachting in these waters, I have to inform you, by command of His Imperial Majesty, that, albeit the object of your Highness' journey be change of air, the importance of the administration of Egypt renders the prolongation of your absence from your Government inadmissible and unbecoming in the interests of the State. Your Highness should, therefore, return to Egypt at once.

No. 50.

Count Hatzfeldt to the Marquess of Salisbury.—(Received November 4.)

(Translation.)

My Lord,

German Embassy, London, October 30, 1899.

THE Imperial Consulate-General in Egypt has communicated to the Chancellor of the Empire the accompanying copy of a Circular from the Egyptian Ministry for Foreign Affairs of the 31st July last, in which Imperial sanction is asked for the inclosed draft Decrees bearing on the question of pawnshops in Egypt.* It is requested that both these papers may be returned.

The Imperial Government wish to know what is the position taken up by the British Government towards these drafts.

I venture to ask your Lordship to let me have an answer on this point.

I have, &c.

(Signed) P. HATZFELDT.

No. 51.

Sir N. O'Connor to the Marquess of Salisbury.—(Received November 6.)

(No. 506.)

My Lord,

Therapia, October 31, 1899.

I HAVE the honour to inclose herewith to your Lordship a copy of a despatch from Her Majesty's Consul at Smyrna, reporting the late visit of the Khedive of Egypt to Cyprus.

In connection with this matter, I beg to say that a short time ago Chefik Bey, Secretary to the Khedive, called and informed me that he learnt from a private source that the Sultan had telegraphed to the Governor-General of Smyrna to convey a message to the Khedive at Rhodes desiring His Highness to return immediately to Egypt, as he heard that disturbances were threatening there. Chefik Bey thought that this was a manoeuvre of the Sultan to exercise authority over the Khedive, and prompted by the Sheikhs and other Palace officials. However this may be, it is not unlikely that His Highness went to Cyprus to escape further communications from His Imperial Majesty.

A copy of this despatch, with inclosure, has been sent to Lord Cromer.

I have, &c.

(Signed) N. R. O'CONOR.

* Not printed.

Inclosure in No. 51.

Consul Cumberbatch to Sir N. O'Connor.

(No. 69.)

Sir,

Smyrna, October 27, 1899.

I HAVE the honour to inform your Excellency that I have received a despatch from the Acting British Vice-Consul at Rhodes, dated the 21st instant, reporting the departure from the island that morning of the Khedive for Cyprus. A salute of nineteen guns was fired from the fortress on His Highness going on board his yacht. He was expected to return to Rhodes in a few days to fetch his family and take them back to Egypt.

Mr. Biliotti, at the Khedive's request, had telegraphed to Her Majesty's Commissioner at Larnaca to ask if His Highness' yacht could be supplied with coal in that port, and he also telegraphed to inform the Cyprus Government of the departure of His Highness for Larnaca.

I have, &c.

(Signed) H. A. CUMBERBATCH.

No. 52.

Viscount Cromer to the Marquess of Salisbury.—(Received November 8.)

(No. 199.)

(Telegraphic.) P.

Cairo, November 8, 1899.

ALL the Great Powers have agreed to the proposal about the Caisse de la Dette which was submitted to your Lordship in my despatch No. 120 of the 30th June last. The possibility of any serious difficulties occurring on the expiry of the period for which the Mixed Tribunals were renewed (viz., the 1st February, 1900) is thus practically obviated.

No. 53.

The Marquess of Salisbury to Count Hatzfeldt.

Your Excellency,

Foreign Office, November 9, 1899.

I HAVE the honour to acknowledge the receipt of your note of the 30th ultimo respecting two draft Decrees relating to pawnbroking establishments in Egypt, to which the assent of the German Government was requested by the Egyptian Ministry for Foreign Affairs, and inquiring what attitude Her Majesty's Government have adopted in the matter.

I have the honour to inform your Excellency, in reply, that Her Majesty's Government have authorized Her Majesty's Agent and Consul-General at Cairo to express to the Egyptian Government their assent to these Decrees.

The inclosures which accompanied your Excellency's note are returned herewith.

I have, &c.

(Signed) SALISBURY.

No. 54.

Viscount Cromer to the Marquess of Salisbury.—(Received November 12.)

(No. 200.)

(Telegraphic.) P.

Cairo, November 12, 1899.

ACCORDING to the most recent information received from the Soudan, it appears that the Khalifa is marching towards Omdurman. Kitchener is here at present, but leaves on Friday next for the south. Under present circumstances it will be better to defer the publication of the notice which it had been decided to issue, permitting all travellers to enter the Soudan from the 1st December.

A detachment of British troops was quartered at Khartoum last winter, and the Sirdar has spoken to me recently about doing so again. I think he is right in this, and

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that it would be advisable, for several reasons, although not absolutely necessary, to send the men, if they can be spared. They would, of course, not go if there is any likelihood of a part of the garrison here being dispatched to the Transvaal, but I hope this will not be necessary. The sanitary condition of the troops at Khartoum is most satisfactory, and there are huts free.

I have shown the draft of this telegram to General Talbot, and suggest that the decision of the War Office should be telegraphed direct to him.

No. 55.

Sir N. O'Connor to the Marquess of Salisbury.—(Received November 13.)

(No. 509.)

My Lord,

Constantinople, November 5, 1899.

WITH reference to my despatch No. 506 of the 31st ultimo, I have the honour to transmit to your Lordship herewith copy of a despatch which I have received from Her Majesty's Consul at Smyrna relative to the recent movements of the Khedive, and the anxiety felt on the subject at the Palace at Constantinople.

I am forwarding a copy of Mr. Cumberbatch's despatch to Her Majesty's Agent and Consul-General at Cairo.

I have, &c.
(Signed) N. R. O'CONOR.

Inclosure 1 in No. 55.

Consul Cumberbatch to Sir N. O'Connor.

(No. 71.)

Sir,

Smyrna, November 1, 1899.

WITH reference to my despatch No. 69 of the 27th ultimo on the subject of the Khedive's departure from Rhodes, I have the honour to forward copy of a despatch received by me from Mr. Acting Vice-Consul Biliotti, showing the special concern caused in high quarters at Constantinople by His Highness' movements.

Not only was the Vali of the Archipelago hurried back to Rhodes from Scio, but, as I learnt, anxious telegrams were received by the Governor-General here to explain the real motive of the Khedive's trip to Marmarice, which was, I am assured, only a shooting expedition.

I have, &c.
(Signed) H. A. CUMBERBATCH.

Inclosure 2 in No. 55.

Acting Vice-Consul Biliotti to Consul Cumberbatch.

(No. 31. Confidential.)

Sir,

Rhodes, October 25, 1899.

I HAVE the honour to confirm my despatch No. 30 of the 21st instant, and beg now to report that the unexpected return of his Excellency the Vali Abedine Pasha to Rhodes, who arrived here on the 22nd, in the evening, had for motive to report without delay to the Palace at Constantinople the doings and movements of His Highness the Khedive since his return here from Europe.

The Khedive, whose house here was situated outside the fortified town, never entered into the fortress. He used to take walks outside and in the vicinity of the suburbs. His Highness having, however, some time ago made a short visit of three days for the purpose of shooting, it is said, at Marmarice, Karagatch, and Makri, on the opposite coast of Anatolia, where he proceeded on board his smaller yacht "Sefa-el-Bahr," the Mutessarif of Moughla, in whose jurisdiction these small towns are placed, having wired to the Palace to report the fact, he was immediately summoned to Constantinople to report verbally on the object of His Highness' visit there.

In the meantime, Abedine Pasha was ordered to return to Rhodes.

I have also been informed that His Highness the Khedive received, before the Vali's arrival, a telegram from the Palace inviting His Highness to return to Egypt, where his presence was necessary. It is after the receipt of this telegram that the Khedive left on the 21st instant for Cyprus on board his larger yacht, the "Mahroussa." It is now said that His Highness will proceed direct from Cyprus to Egypt, where he will probably arrive on the 29th instant.

I have further the honour to report that the Khedivial smaller yacht "Sefa-el-Bahr" received orders from Cyprus to proceed there, and she left yesterday evening.

It is said that the "Mahroussa" will shortly return to Rhodes to take the Khedive's family, who is still here.

I have, &c.
(Signed) A. BILIOTTI.

No. 56.

Sir N. O'Connor to the Marquess of Salisbury.—(Received November 13.)

(No. 528. Confidential.)

My Lord,

Constantinople, November 9, 1899.

WITH reference to my despatch No. 410 of the 30th August last, I have the honour to transmit to your Lordship herewith copy of a despatch which I have received from Her Majesty's Consul at Jerusalem respecting Mgr. Photios, Orthodox Bishop of Nazareth, whose name is stated by Mr. Dickson to have been put forward as a candidate for the Patriarchate of Alexandria by a section of the Greek community of that place.

I am sending a copy of Mr. Dickson's despatch to Her Majesty's Agent and Consul-General in Cairo.

I have, &c.
(Signed) N. R. O'CONOR.

Inclosure in No. 56.

Consul Dickson to Sir N. O'Connor.

(No. 38. Confidential.)

Sir,

Jerusalem, October 26, 1899.

WITH reference to my despatch No. 34, Confidential, of the 19th August last, and to previous correspondence relative to the affairs of the Greek Patriarchate in this city, I have the honour to report to your Excellency that, in consequence of the recent death of Mgr. Saphronios, Greek Orthodox Patriarch of Alexandria, the name of Mgr. Photios, Archbishop of Nazareth and lately Secretary to the Patriarchate of Jerusalem, has been put forward by a section of the Greek community in Alexandria as a candidate for the vacant see. The Greek Patriarch of Jerusalem is favourable to his nomination, and the Right Reverend Bishop Blyth, whose relations with the Greek Patriarchate here are of a cordial nature, and whose diocese includes Egypt, has expressed, in a communication to Her Majesty's Representative at Cairo, views similar to those held by the Jerusalem Patriarch.

As the appointment of the Greek Patriarch of Alexandria may possibly require the final sanction of the Sultan, I venture to submit a few remarks to your Excellency on the antecedents of Mgr. Photios and his eligibility as a candidate.

Mgr. Photios is a native of Greece, but, having been destined for the Church, was educated with that object in the Greek Orthodox Seminary in this city. On his ordination as a monk he became an Ottoman subject, but evincing considerable intelligence he was soon promoted to the office of Archimandrite, and in 1883 was nominated Patriarch of Jerusalem on the Patriarchal Throne becoming vacant. His nomination was however cancelled by the Sultan, and soon after, on the appointment of Mgr. Nicodemus as Patriarch of Jerusalem, he was, at the instigation of the latter, who was said to be acting under Russian influence, banished by the Sultan to the Convent of St. Catherine on Mount Sinia, where he remained until the year 1891, when, on the recommendation of the late Patriarch, Mgr. Gerassimos, he was permitted to return to Jerusalem. Since then he has held various offices in the Church,

and was quite recently nominated to the Bishopric of Nazareth, where he is now residing.

He is a man of considerable learning, being superior in this respect to most of the Greek clergy; is gifted by nature with great intelligence and tact; and is a powerful orator. He is, moreover, well informed on all topics of general interest, and is favourable to the promotion of education among the followers of his Church. He is further understood to be opposed to the interference of Russia in the affairs of the Greek Orthodox Church in the East.

I have, &c.
(Signed) JOHN DICKSON.

No. 57.

Viscount Cromer to the Marquess of Salisbury.—(Received November 14.)

(No. 191.)

My Lord,

Cairo, November 1, 1899.

I HAVE the honour to transmit to your Lordship copy of a Khedivial Decree appointing Mr. H. H. Pinching to be Director-General of the Egyptian Sanitary Administration, in succession to Sir John Rogers, who retires from the Egyptian service.

I cannot allow the occasion of Sir John Rogers' retirement to pass without placing on record the great services which he has rendered to this country while at the head of this Department.

After a distinguished career in the British and subsequently in the Egyptian army, of which he was the Principal Medical Officer, Sir John Rogers took over the charge of the Sanitary Administration at an early stage of its development. By his zeal and ability he has, with the limited resources at his command, so developed its efficiency as to make it one of the most satisfactory institutions which have felt the influence of British reform.

I have already had occasion to draw your Lordship's attention to the admirable arrangements carried out under his direction in 1896, by which the cholera epidemic which visited Egypt was confined to a restricted area, and finally stamped out before it had taken a dangerous hold on the country.

This year plague broke out in the month of May at Alexandria. Your Lordship is fully aware, from the weekly reports which have been furnished, how successful the measures which were prescribed by Sir John Rogers and put into execution have proved.

These measures have been carried out with a minimum of friction, and in view of the difficulties which all sanitary reform invariably encounters in an Oriental country, it would be difficult to speak too highly of the work which Sir John Rogers has accomplished.

It is a pleasure to me to lay before your Lordship my high appreciation of his distinguished services in Egypt.

I have, &c.
(Signed) CROMER.

Inclosure in No. 57.

Extract from the Egyptian "Journal Officiel" of November 6, 1899.

Décret.

NOUS, Khédive d'Égypte,

Vu le Décret du 8 Février, 1886 (4 Gamad-Awel, 1303), portant réorganisation des services sanitaires et d'hygiène publique;

Sur la proposition de notre Ministre de l'Intérieur et l'avis conforme de notre Conseil des Ministres,

Décrétons :

Article 1^{er}. Le Dr. H. H. Pinching Bey, Inspecteur à l'Administration des Services Sanitaires, est nommé, à partir du 1^{er} Novembre, 1899, Directeur-Général de

cette Administration, en remplacement de Sir John Rogers Pacha, admis à faire valoir ses droits à la retraite.

Notre Ministre de l'Intérieur est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tine, le 2 Novembre, 1899.
(Signé)

ABBAS HILMI.

Par le Khédive :
Le Président du Conseil des Ministres,
Ministre de l'Intérieur,
(Signé) MOUSTAPHA FEHMY.

No. 58.

War Office to Foreign Office.—(Received November 17.)

War Office, November 15, 1899.

Sir,

WITH reference to the telegram from Lord Cromer dated Cairo the 12th instant, I am directed to acquaint you, for the information of the Marquess of Salisbury, that Lord Lansdowne concurs in the proposal to send a detachment of British troops from Cairo to Omdurman. Instructions to this effect have been telegraphed to-day to the General Officer Commanding the troops in Egypt, who has also been informed that the detachment should not be retained at Omdurman during the hot season.

Lord Lansdowne is of opinion that the cost involved in this arrangement should be borne by the Egyptian Government, and I am to request that you will inform me whether Lord Salisbury concurs.

I am, &c.
(Signed) R. H. KNOX.

No. 59.

The Marquess of Salisbury to Viscount Cromer.

(No. 113.)

(Telegraphic.) P.

Foreign Office, November 18, 1899.

I HAVE received your telegram No. 200 of the 12th instant respecting the movements of the Khalifa and the proposed dispatch of a detachment of British troops from Cairo to Omdurman.

The War Office have telegraphed to the General Officer Commanding, expressing their concurrence in this proposal, but stipulating that during the hot weather the troops should be removed from Omdurman.

They also urge that the Egyptian Government should bear the cost, and I should be glad to learn your Lordship's opinion on this point.

No. 60.

Viscount Cromer to the Marquess of Salisbury.—(Received November 19.)

(No. 203.)

(Telegraphic.) P.

Cairo, November 19, 1899.

WITH reference to your Lordship's telegram No. 113, I understood from your Lordship's telegram No. 182 of the 21st December, 1898, that the Treasury had agreed to my proposal that the cost should not be borne by the Egyptian Government. The condition mentioned in the second clause has, I need hardly say, not been fulfilled as yet. As I did not, on purely political grounds, think it necessary or desirable to insert it, this subject was, on my subsequent recommendation, omitted from the Sudan Convention.

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I have asked General Talbot to suspend the departure of the detachment, which was to leave on Wednesday, until this matter is agreed upon.

It is quite impossible that I should ask the Egyptian Ministers to bear the charge of the British detachment. There is already much dissatisfaction at the whole cost of the Soudan Administration being thrown on Egypt.

No. 61.

Foreign Office to War Office.

Sir, *Foreign Office, November 20, 1899.*
WITH reference to your letter of the 15th instant, expressing the concurrence of the Secretary of State for War in the proposal to send a detachment of British troops to Omdurman, and suggesting that the cost should be borne by Egyptian funds, I am directed by the Marquess of Salisbury to transmit, for the consideration of the Marquess of Lansdowne, copies of telegraphic correspondence which has passed with Lord Cromer on the subject.*

At the same time, I am to inclose copies of the correspondence which passed with Lord Cromer and with the Treasury relative to the agreement alluded to by his Lordship in his telegram of yesterday's date.†

I am, &c.
(Signed) T. H. SANDERSON.

No. 62.

War Office to Foreign Office.—(Received November 23.)

Sir, *War Office, November 23, 1899.*
WITH reference to your letter of the 20th instant as to the extra cost involved in the proposal to send a detachment of British troops to Omdurman, I am directed by the Secretary of State for War to acquaint you, for the information of the Marquess of Salisbury, that a communication has been made to the Treasury on the subject, but that, pending the receipt of a reply, there seems to be no necessity to delay the departure of the troops.

I am to add that Lord Lansdowne is prepared to admit the charge against Army Votes.

I am, &c.
(Signed) R. H. KNOX.

No. 63.

The Marquess of Salisbury to Viscount Cromer.

(No. 114.)
(Telegraphic.) P. *Foreign Office, November 24, 1899.*
I HAVE received your Lordship's telegram No. 203 of the 19th instant respecting the question of the cost of the detachment of British troops to be sent from Cairo to Omdurman.

The War Office are in communication with the Treasury on the subject, but they are prepared to admit that the cost should be charged to Army Votes, and they see no reason why the departure of the troops should be delayed.

* Nos. 59 and 60.

† Treasury, December 20 and 31, 1898; Lord Cromer, No. 359, Telegraphic.

No. 64.

War Office to Foreign Office.—(Received November 30.)

Sir, *War Office, November 29, 1899.*
WITH reference to the letter from this Department of the 23rd instant relating to the dispatch of British troops to Omdurman, and in view of the recent intelligence from the Soudan as to the death of the Khalifa, I am directed by the Secretary of State for War to request that you will inform me whether, in Lord Salisbury's opinion, these troops are now required.

I am, &c.
(Signed) R. H. KNOX.

No. 65.

Viscount Cromer to the Marquess of Salisbury.—(Received December 4.)

(No. 200.)
My Lord, *Cairo, November 22, 1899.*
I HAVE the honour to transmit to your Lordship herewith a copy of a Khedivial Decree, published in the "Official Journal" of the 13th instant, appointing M. G. Maspéro to the post of Director-General of the Museum Department and the Excavation Service, in succession to M. Loret, who has retired from the service of the Egyptian Government.

I have, &c.
(Signed) CROMER.

Inclosure in No. 65.

*Extract from the "Journal Officiel" of November 13, 1899.**Decree.*

NOUS, Khédive d'Égypte,
Sur la proposition de notre Ministre des Travaux Publics et l'avis conforme de notre Conseil des Ministres,

Décrétons :

Article 1^{er}. M. G. Maspéro est nommé, à partir du 1^{er} Novembre, 1899, Directeur-Général des Musées Égyptiens et du Service des Fouilles, en remplacement de M. V. Loret, démissionnaire.

Art. 2. Notre Ministre des Travaux Publics est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tine, le 9 Novembre, 1899.
(Signé) ABBAS HILMI.

Par le Khédive :
Le Président du Conseil des Ministres,
(Signé) MOUSTAPHA FEHMY.
Le Ministre des Travaux Publics,
(Signé) H. FAKHRY.

No. 66.

Viscount Cromer to the Marquess of Salisbury.—(Received December 4.)

(No. 201.)
My Lord, *Cairo, November 22, 1899.*
WITH reference to my despatch No. 120 of the 30th June last, in which I submitted to your Lordship a draft Khedivial Decree, defining the rights capable of being exercised by a majority of the members of the Caisse de la Dette, I have now

the honour to transmit herewith a copy of the Decree in question, which has received the assent of the Powers, and has been published in the "Journal Officiel" of the 15th instant.

I have, &c.
(Signed) CROMER.

Inclosure in No. 66.

Extract from the Egyptian "Journal Officiel" of November 15, 1899.

Decree.

NOUS, Khédive d'Égypte,
Vu le Décret du 2 Mai, 1876;
Vu la Loi de Liquidation;
Vu le Décret du 27 Juillet, 1885;
Vu le Décret du 12 Juillet, 1888;
Vu le Décret du 14 Juin, 1889;
Vu le Décret du 28 Janvier, 1892;

Sur la proposition de notre Conseil des Ministres et avec l'assentiment des Puissances Signataires de la Convention de Londres du 17 Mars, 1885,

Décrétons :

Article 1^{er}. La Caisse de la Dette, dans tous les cas où son intervention est prévue par les accords internationaux, soit sous forme de décision à prendre, soit sous forme d'avis à donner, statuera à la majorité absolue des membres qui la composent, sans toutefois qu'il soit dérogé à l'Article 38 de la Loi de Liquidation.

Exceptionnellement, l'avis préalable de la Caisse de la Dette, prévue par le troisième alinéa de l'Article 3 du Décret susvisé du 12 Juillet, 1888, devra être donné à l'unanimité toutes les fois qu'il s'agira de dépenses extraordinaires d'ordre militaire.

Art. 2. Aucune dépense extraordinaire de quelque nature qu'elle soit ne pourra, en aucun cas, être consentie par la Caisse de la Dette sur le fonds de réserve que si, après prélèvement de cette dépense, le montant disponible du dit fonds, et non encore engagé, excède la somme de £ E. 800,000.

Art. 3. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tine, le 13 Novembre, 1899 (9 Ragab, 1317).

(Signé) ABBAS HILMI.

Par le Khédive :

Le Président du Conseil des Ministres.
(Signé) MOUSTAPHA FEHMY.
Le Ministre des Affaires Étrangères,
(Signé) BOUTROS GHALL.
Le Ministre des Finances,
(Signé) AHMED MAZLOUM.

No. 67.

Foreign Office to War Office.

(Confidential.)

Sir,

Foreign Office, December 4, 1899.

IN reply to your letter of the 29th ultimo, raising a question as to the necessity in present circumstances of sending a detachment of British troops to Khartoum, I am directed by the Marquess of Salisbury to request that you will call the attention of Lord Lansdowne to the letter from this Office of the 5th January last, inclosing extracts from a despatch from Lord Cromer of the 10th November, and from a telegram of the 4th January from Mr. Rodd, explaining the reasons which seemed to call for the presence at Khartoum of a small British force.

In compliance with the wishes of the War Office, telegrams were sent to Mr. Rodd on the 6th and 7th January, copies of which were sent to you, stating the objections entertained to the permanent retention in such a climate of British troops, proposing that their stay at Khartoum should only last from December to March, and suggesting

that another detachment might be sent up in the winter following. It was also pointed out that great importance attached to the proper housing of the men, to the water supply, and to hospital accommodation. It is understood that arrangements were made in these respects for the proper reception of the detachment.

It does not seem at all likely that the death of the Khalifa will be considered to have so materially affected the grounds on which the presence of a British detachment at Khartoum was desired as to justify an abandonment of the measure. The departure of the detachment from Cairo has, in fact, been announced in the papers as fixed for the 29th ultimo, and it has presumably started.

Lord Salisbury will forward copies of your letter and of this reply to Viscount Cromer for his information, and his Lordship is assured that the detachment will not be retained at Khartoum unless there are sufficient reasons for deeming its presence there important.

I am, &c.
(Signed) T. H. SANDERSON.

No. 68.

War Office to Foreign Office.—(Received December 13.)

War Office, December 9, 1899.

Sir,

WITH reference to your letter of the 4th instant, I am directed by the Secretary of State for War to acquaint you, for the information of the Marquess of Salisbury, that, under the circumstances represented, Lord Lansdowne concurs in the proposal that the arrangements already made for the dispatch of a detachment of British troops to Omdurman should hold good.

I am, &c.
(Signed) G. FLEETWOOD WILSON.

No. 69.

Viscount Cromer to the Marquess of Salisbury.—(Received December 18.)

(No. 209)

Cairo, December 9, 1899.

My Lord,

I HAVE the honour to inclose a copy of a Circular which I have received from the Egyptian Minister for Foreign Affairs, inclosing a Decree to which the assent of the Powers is requested.

Briefly stated, the matter stands as follows:—

The Domains Loan was raised in 1878. The capital at that time amounted to 8½ millions. It has now been reduced to about 3¼ millions. The rate of interest was originally 5 per cent. In 1890 it was reduced to 4¼ per cent. Inasmuch, however, as the French Government did not at the time of the Conversion agree to any special method for employing the economy effected by the reduction of the rate of interest, the full 5 per cent. continues to be a charge on the revenues of the Domains Administration. The difference between the 4¼ per cent. and 5 per cent. rates is paid into the Economies Fund, and is invested by the Commissioners of the Debt. As the revenue derived from the Domains is insufficient to pay interest at the rate of 5 per cent., the deficit, amounting to some 50,000l. to 60,000l. a-year, has to be made good by the Egyptian Government, who thus have to bear a heavy charge, with the sole result that the accumulated fund invested by the Commissioners of the Debt is annually increased.

Under present arrangements, the Domains stock may be paid off by the Egyptian Government in 1908.

It is now proposed (1) to consider the rate of interest at 4¼ per cent. instead of 5 per cent., in establishing the annual deficit; (2) to charge any small deficit which may, under this system, still occur in the future, to the accumulated economies of the Domains Conversion; (3) to prolong the period for redeeming the loan, otherwise than by sales of property, till 1915.

This matter has for long formed the subject of negotiation. The French Government have now intimated that they will be prepared to agree to the arrangement set

forth in the draft Decree. The inducement on their part is that the existence of an international Institution, in which French influence is predominant, will be prolonged for a few years, inasmuch as it is more than doubtful whether sales of land can be effected on a scale sufficiently large to enable the whole loan to be paid off in 1908. On the other hand, the Egyptian Government will be at once relieved from a heavy charge. Neither is the prolongation of the Domains Administration a matter which seriously affects Egyptian interests. It is most desirable to sell the property in small lots to the cultivators, and the proposed Decree contains a provision which will much facilitate such a course. Further—and this is a point of much importance—the Domains Loan stands by itself. There is nothing in the present proposal which will prevent a general treatment of the Egyptian financial question at any period prior to 1915, should it, on other grounds, be thought desirable and possible to deal with it.

Under these circumstances, I beg to recommend that the assent of Her Majesty's Government be given to the proposed Decree.

I have, &c.
(Signed) CROMER.

Inclosure 1 in No. 69.

Boutros Pasha to Viscount Cromer.

(Circulaire.)
M. le

Le Caire, le 7 Décembre, 1899.

AINSI que vous le savez, le Décret du 6 Juin, 1890, promulgué avec l'assentiment des Puissances, dispose à l'Article 4 que les économies résultant de la Conversion de la Dette Domaniale seront laissées en dépôt à la Caisse de la Dette. Cette disposition ne semble guère justifiée, étant donné que les revenus du gage étaient insuffisants pour faire face à toutes les charges de l'emprunt. L'Administration des Domaines, en effet, depuis sa constitution, non seulement n'a jamais eu d'excédent de recettes mais au contraire a toujours, en fin d'année, présenté un déficit et le Gouvernement a dû pourvoir annuellement à l'insuffisance des revenus, de sorte qu'en réalité c'est le Gouvernement lui-même qui se trouve verser à la Caisse de la Dette et sur ses propres ressources, la somme qui est censée représenter l'économie résultant de la Conversion de la Dette Domaniale.

C'est là une situation dont l'anomalie a été signalée par la Commission des Domaines elle-même dans son Rapport pour l'Exercice 1898, et que le Gouvernement a dû se préoccuper de faire cesser. Vous reconnaîtrez certainement avec moi, j'en ai la pleine persuasion, qu'il serait de toute justice que l'économie de la Conversion de la Dette Domaniale ne soit versée à la Caisse de la Dette que lorsque les revenus des Domaines excéderaient la somme nécessaire pour assurer le service du coupon au taux de 4½ pour cent dans la mesure où ils l'excéderaient.

Ces excédents réels constitueraient donc, concurremment avec les sommes existant actuellement en dépôt à la Caisse de la Dette, le fond affecté éventuellement à combler l'insuffisance des revenus de l'Administration des Domaines.

Quant à l'amortissement il se ferait exclusivement avec le produit des ventes et avec les excédents des revenus sur le montant nécessaire pour le service des coupons calculés à 5 pour cent.

C'est dans cet ordre d'idées que le Gouvernement de Son Altesse a préparé le projet de Décret dont j'ai l'honneur, M. le , de vous transmettre ci-joint deux exemplaires, en vous priant de vouloir bien le soumettre au Gouvernement de .

L'Article 7 du projet étend jusqu'au 1^{er} Janvier, 1915, sous réserve de l'amortissement prévu ci-dessus, la période pendant laquelle il ne pourra être procédé au remboursement de la Dette Domaniale.

Cette disposition, dont vous reconnaîtrez certainement les avantages pour les créanciers, permettra à la Commission des Domaines d'accomplir sa mission de liquidation.

Permettez-moi de faire appel à vos bons offices, M. le , pour obtenir l'adhésion de votre Gouvernement dans le plus bref délai, afin que les dispositions du Décret puissent servir de base au règlement de l'exercice en cours.

Je saisis, &c.

Inclosure 2 in No. 69.

Draft Decree.

NOUS, Khédive d'Égypte,
Vu la Convention du 31 Octobre, 1878, et la Convention Additionnelle du 14 Avril, 1880, intervenue entre le Gouvernement Égyptien et MM. N. M. de Rothschild et Fils, de Londres, et MM. de Rothschild Frères, de Paris,
Vu le Décret du 27 Juillet, 1885,
Vu le Décret du 6 Juin, 1890,
Vu les Décrets des 18 et 25 Mars et 29 Mai, 1893,
Avec l'assentiment des Puissances qui ont précédemment accepté les Décrets susvisés,

Décrétons :

Article 1^{er}. Les économies réalisées par suite de la conversion des obligations Domaniales hypothécaires d'Égypte 5 pour Cent, en obligations 4½ pour cent, ne seront versées à la Caisse de la Dette Publique, que lorsque les revenus des Domaines excéderont les sommes nécessaires pour faire face à toutes les autres charges qui leur incombent et seulement dans la mesure où ils les excéderont.

Art. 2. Toutes les sommes versées à la Caisse de la Dette Publique, depuis la Conversion de la Dette Domaniale, jusqu'à ce jour et toutes celles qui seront versées par l'Administration des Domaines, en vertu de l'Article 5, à titre d'économies de la Conversion de la Dette Domaniale, ainsi que les intérêts produits et à produire par ces sommes ou les titres achetés au moyen de ces sommes, sont expressément affectés, jusqu'à complet épuisement, au paiement des insuffisances de revenus des Domaines, y compris les impôts dus pour les terres situées dans les provinces non affectées.

Art. 3. Les dites sommes en capital et intérêts resteront en dépôt, dans les conditions fixées par l'Article 5 du Décret du 6 Juin, 1890, à la Caisse de la Dette Publique, qui établira le compte des intérêts déjà encaissés et arrêtera à la fin de chaque année le compte des intérêts perçus pendant l'année.

Art. 4. Chaque année, jusqu'à épuisement des sommes ou titres dont il est parlé ci-dessus, l'insuffisance des revenus des Domaines, sera payée par la Caisse de la Dette à l'Administration des Domaines, aussitôt que cette insuffisance aura été fixée par la Commission chargée d'arrêter les comptes de l'Administration des Domaines.

La Caisse de la Dette est autorisée à vendre les titres qu'elle a et aura en dépôt, jusqu'à concurrence du montant des sommes à payer à la Commission des Domaines.

Art. 5. Si, d'après les comptes, l'Administration des Domaines a un excédent de revenus permettant de payer tout ou partie des économies de la Conversion, la somme à verser de ce chef, à la Caisse de la Dette, sera payée par l'Administration des Domaines aussitôt que la Commission, chargée d'arrêter les comptes, aura procédé à cette opération.

Art. 6. Si, après liquidation totale de l'Emprunt Domanial, il reste en dépôt à la Caisse de la Dette, partie des sommes qui font l'objet de l'Article 3 ci-dessus, ces sommes suivront le même sort que les économies de la conversion de la Dette Privilegiée.

Art. 7. La Dette Domaniale ne pourra être remboursée avant l'expiration d'une période de quinze ans, commençant le 1^{er} Janvier, 1900, sous réserve des dispositions édictées à l'Article suivant :—

Art. 8. L'amortissement de la Dette Domaniale se fera exclusivement :
(a.) Avec le produit des ventes des propriétés des Domaines dans les conditions prescrites par l'Article 3 de notre Décret du 18 Mars, 1893 ;
(b.) Avec les excédents des revenus nets des Domaines sur le montant nécessaire pour le service des coupons à 5 pour cent.

Tout autre mode d'amortissement est et demeure supprimé.
Les ventes pourront être consenties moitié au comptant moitié par annuités portant intérêts à 4½ pour cent et dont le nombre ne pourra excéder quinze.

Art. 9. Sont formellement maintenues toutes les dispositions des Conventions passées entre le Gouvernement et MM. de Rothschild et des Lois et Décrets en vigueur, auxquelles il n'est pas expressément dérogé par le présent Décret.

No. 70.

Foreign Office to Treasury.

Sir,

Foreign Office, December 29, 1899.

I AM directed by the Marquess of Salisbury to transmit to you, to be laid before the Lords Commissioners of the Treasury, a copy of a despatch from Her Majesty's Agent and Consul-General at Cairo,* inclosing a Circular from the Egyptian Minister for Foreign Affairs, with a Decree respecting the Domains Loan, to which the assent of the Powers is requested.

I am to state that, if their Lordship's concur, Lord Salisbury proposes to inform Lord Cromer that Her Majesty's Government assent to the proposed Decree.

As Lord Cromer has asked for a reply by telegraph, I am to request that an answer may be returned at their Lordships' earliest convenience.

I am, &c.

(Signed) T. H. SANDERSON.